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MEMBERS OF THE HOUSE who were against the "death sentence" in the holding-company bill have now learned that the pressure of home investors which, in some cases at least, decided their vote, was nothing more than a smack from a city directory. The result is that several members are ready to change their votes, and it is within the bounds of possibility that the "death sentence" may yet be enacted. The comedy of Warren, Pennsylvania, has put the utilities to rout. The spectacle of a local utilities employee writing hundreds of telegrams, signing them with names chosen from the local directory, then burning the originals so that the crime should not be detected shows to what lengths of deception the utilities are ready to go. It also raises a question of ethics for the Western Union Telegraph Company, whose local office knew the telegrams were spurious. Associated Gas and Electric, whose employee was the comedian of this episode, admitted to the Senate committee investigating lobbying that it had spent $700,000 to defeat the holding-company bill and justified it as a modest one per cent of its outstanding stock. But it is seventy times more cash than was originally invested by the two men who formed this holding company, for they gained control of assets worth $640,000,000 on an original outlay of $10,000. Philip H. Gadsden, chairman of the Committee of Utility Company Executives, pleads pitifully that the misdeeds of a few individuals should not reflect on the honest attempt to save millions of stockholders. But the holding-company bill will not injure honest properties, or take from stockholders a cent which represents honest value. It is written in the defense of stockholders in general, as much as of the public which now pays for services at extortionate rates based upon watered valuation.

"NOTHING," said a Washington wit, "frightens this Administration so much as to win a court decision." The remark fell after the United States Court of Appeals had overruled Judge W. I. Grubb in the TVA case, and had given careful reasons for finding the act constitutional. As if disturbed by recent Supreme Court philosophy, the judges of appeal offered this idea: "We live under a dual government of divided powers, not under two separate governments of conflicting powers. The power over navigable waters granted to the federal government is not in conflict with but necessarily superior to the dominion over such waters which the states reserve to themselves." The Supreme Court may accept this little lesson since it applies only to navigable waters and not to human beings. But it also may prefer the staunch reasoning of Judge Grubb that since the Constitution does not confer on the federal government the authority to embark on undertakings like the TVA the federal government is prohibited from doing so. Even if the government wins in the highest court it will find it has a high hurdle to leap. The fight is being made not on the right of the government board to sell power, but to sell surplus power of a war-time dam. It owns Wilsom Dam, built in the national defense. It has a constitutional right to sell what it owns. But the power companies denied that it could sell surplus power if it competed with private business. The Circuit Court of Appeals now finds it can sell the surplus power, even if in so doing it competes, because it has the right to dispose of its property. But that hardly makes it clear that the government can dispose of power from dams built not for national defense but for the mere defense of the victims of public-utility companies.

NOT UNTIL the Ways and Means Committee of the House drafts a bill will it be possible to comment seriously on the President's tax program. The move to substitute an excess-profits tax for the graduated tax on corporation profits was placed before the President, and he is said to have worked out a characteristic compromise, retaining the graduated tax but reducing its spread, and adding the excess-profits tax as well. Thus he establishes the principle of the tax on bigness without using it with any real effect. Preliminary forecasts indicate that higher death duties will begin with inheritances of $75,000, and higher income taxes on net incomes of $150,000. Until we see the scale of inheritance taxes we are unable to say whether they are sharp enough to conform with the President's own intention of breaking up great fortunes. Certainly income-tax increases should begin in the lowest bracket. The cost

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of government is being borne, in part by borrowing, in part by indirect taxation—therefore by the poor, and in part by taxing the well-to-do. No one can accuse us of opposing borrowing in an era of extreme destitution, but we are aghast that a widely heralded tax reform should fall short of taxing the rich in preference to borrowing. And as the rich are the loudest to cry out against the unbalanced budget, they cannot consistently decline to bear their share of the cost of fiscal probity. One should be able to expect them to exert influence on Congress to this end, but it will be left to the progressives to wage the fight for sound finance, and they will have to defeat the spokesmen of the rich if they win.

A LITTLE MORE than a year after the infamous "purge" of June 30, the Nazis have broken out again against their enemies, the Jews. Jews are being subjected to indignities and injuries on the streets of Berlin; Jewish shops are being attacked and their customers threatened; and a blanket ordinance forbids the operation of ice-cream parlors by Jews after 7 p. m., although these establishments traditionally do most of their business in the evening. All this is a departure from the established procedure of forbidding German Jews to practice in the professions and the arts, but on the whole permitting them to continue in business. It indicates a split between the more conservative Nazi anti-Semites, represented by Prime Minister Göring, and the radicals of whom Goebbels is the leader, and who would like to see every Jew expelled from the country or forced to live in a ghetto. James G. McDonald, High Commissioner for Refugees Coming from Germany, in a comprehensive report on the condition of Jewish exiles, reports that some 80,000 Jews have left that unhappy country since the beginning of the Hitler regime. The McDonald report urges that responsibility for these refugees be assumed by the League of Nations, since the Nazi government has taken drastic measures against their return, and the countries to which they have fled are not in an economic condition to welcome or maintain them. The recent anti-Semitic outbursts cannot fail to add to their number.

AS IF TO MAKE IT QUITE CLEAR that the excesses under the Hitler government are continuing and will continue as long as the Nazis are in power, not only the Jews but the Catholics are being subjected to continued persecution and harassment. There is considerably less pulling about of Catholics in the streets, but the Reich Ministry of Justice has issued orders for the strictest suppression of Catholic clergymen discovered to be making "insidious attacks on the state." At the same time Catholic youth groups have been forbidden mass appearances in public and Catholic newspapers have been confiscated and suppressed. On Sunday, July 21, the day after the latest decree was issued, only the Catholic priests in Freiburg were so rash as to ignore it. Curiously enough, although promises of drastic action had been announced to accompany any violation of the order, the Nazi lightning did not strike the Freiburg clergy dead, but instead it was explained that the decree had not actually been published in Freiburg before the sermons were preached. But this need not be interpreted as a tempering of the Nazi storm. It has long since been evident that there were no lengths to which the Hitler cohorts would not go in their *kultur* madness and in their attempts to bolster up a desperate economic situation by dragging out diversions for a succession of Roman holidays. In so far as the latest manifestations of violence indicate a split within the Nazi ranks between the extremists and the moderates, they may serve to hasten the day of reckoning. Hitler himself is reported to be away "on a cruise"; one may guess whether this means that he has absented himself to escape responsibility, or that his lieutenants are taking advantage of his absence to put through changes which he refused to sanction.

THE NEW YORK *Times* writes sensational headlines over a dispatch by Clarence Streit from Geneva giving details of a "secret" protocol between Britain and Italy in 1891, by which Italy was to have nearly all of Abyssinia as a sphere of influence. Streit in his dispatch admits that the protocol and the agreement which followed have both been published and languish in the dust of public libraries. Furthermore the agreement was modified by a long series of further agreements on the same theme, in which later France joined, and it was finally superceded when Abyssinia, under the special auspices of Italy and France, joined the League of Nations. Britain in 1891 was prepared to relinquish Egypt and the Sudan, and therefore was not concerned as to the control of Lake Tsana in Abyssinia, through which flows the Blue Nile. No dusty protocol of that year would make Britain today feel bound to turn over this region to anyone else. Today Egypt and the Sudan are firmly in Britain's keeping, and their prosperity depends on the Blue Nile, with its rich deposits of silt. Britain itself had its eye on Abyssinia, and after the World War began talking of a mandate over this slave-ridden land. As much as anything this made Abyssinia's reception into the League appeal to Italy and France. Of all the agreements made, we suspect that a secret one of last year between Italy and France is the most important, for it signalized the withdrawal of French opposition to Italy's claims against Abyssinia. But the factor determining Mussolini's intention to conquer Abyssinia, by war or by peaceful means, is no written or unwritten agreement; it is the simple fact that now it can be done, and nobody is ready to oppose him effectively. If the League lives up to its obligations, Italy will withdraw from membership. Even Britain, concerned as it is over Lake Tsana, cannot invite this situation. Mussolini outside the League is almost inevitably a menace; inside the League he remains part of the anti-Hitler front.

ABYSSINIA now finds itself cynically abandoned by its guarantors, and in turning to self defense is obstructed in buying munitions. Orders from European countries, some even paid for, are not being filled. This is a predicament the American advocates of strict neutrality must explain away. Not to sell munitions to either party in a dispute may be to determine the extinction of the country not possessing its own munition factories. Emperor Haile Selassie is making fine speeches, dramatically offering to die for his country. The fact is that he is confronted by strong tribal opposition at home, and if he should try to give away territory to Mussolini he probably would be killed. He arouses our pity in mentioning the possibility of a Morgan loan. True, his country and Finland are among the few to which American bankers can make advances under the Johnson act.

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But he reveals a saintly naivete if he believes Morgan and Company would stake him in a fight for national survival, which he already has lost. For our part we shall not be naive, either, about Abyssinia. The country is deep in the dark ages, its millions of blacks are kept in bitter subjection by their ruthless masters. Our indignation over the policy of Mussolini, and the final collapse of all international morals at Geneva, does not make us defenders of the tragic feudalism of Abyssinia. The best we can say for the country is that it has a right to lift itself from the depths under the protection of the League.

THE NEW FRENCH BUDGET is interesting for the decrees by which Premier Laval has reduced house rents, the income from government obligations, and the prices of bread, gas, and electricity. They set a precedent which a government either to the right or left of the present middle-party regime will find useful. The reductions themselves, along with the higher taxes on large incomes and on munitions manufactures, served to disguise the force of the blow against the French standard of living which is contained in one of the most deflationary budgets on record. The 10 per cent reduction in the wages of government employees—an annual salary of $663 now becomes $596.70—will not, of course stop there; and it will not be offset by the reductions in the cost of living. Purchasing power will be cut all along the line and there is no assurance that France will be able to avoid devaluation after all. Robert Dell, in our issue of July 10, pointed out the tie-up between the Comité des Forges and the Bank of France, which precipitated the financial crisis and has just dictated the terms of its solution. The Comité des Forges, he wrote, along with the French fascists, would like to see an alliance between France and Germany "for it would make it necessary for both countries to be heavily armed" with resulting profits to the iron-and-steel trust. We note that Laval, now that he has saved the franc, is "anxious to renew conversations" looking toward agreement with Germany. Two-thirds of the French national expenditure goes to support the army, navy, the air force, and the service of the national debt. No doubt, the savings effected by the new budget will also be put where they will do the most harm, namely into the perfecting of that vast armament machine which will presently go off and blow Europe to pieces again. Premier Laval is to be congratulated on the mildness of the riots with which his budget was greeted.

WILLIAM RANDOLPH HEARST'S anti-Soviet campaign has come a cropper in a way peculiar to his journalistic genius. Thomas Walker, whose real name is Robert Green and who "wrote" the first sensational expose of the "real and whole truth" about conditions in Russia, turns out to be a notorious forger and violator of the Mann white-slave act. For the latter offence he had served a term in Leavenworth, and he was later sentenced by the Colorado courts to serve eight years in jail on a forgery conviction. He escaped prison after a year and a half, and roamed over the USSR for the purpose of "fact-finding." He had great difficulty in selling his "facts" until last year when he met Mr. Hearst in London. Mr. Hearst, whose eye for scoops and newspaper geniuses is proverbial, immediately put him to work for his papers. Having finished his series for the Hearst papers, Mr. "Walker" returned to the United States, and he had no sooner reached our shores than federal officers detained him for using a false name on his passport. The Colorado authorities were notified, and at this writing he is on the way to that state to serve the remaining six-and-a-half years of his forgery term.

THE GOVERNMENT, being possessed of a Labor Relations Board (whose three new members will be named in a few days) should at once submit to it the dispute between Postmaster W. R. Jackson of St. Louis and the National Association of Substitute Post Office Employees. This has been in progress since last summer when William F. Hill, a substitute post office worker, wrote a letter to the St. Louis *Times-Star,* conservative in tone and making constructive criticism of the Post Office. There followed a quiet campaign by the postmaster to make Hill leave the union, and to drive some of his Jewish fellow-unionists out of the service. Both anti-Semitism and hostility to the union were apparent in the postmaster's behavior. At one conference with his men he cast aspersions on the Jewish race, called members of the union "rats," and denied the right of employees to criticize the post office. Since then Theodore Bronstein, Samuel Raban, and Samuel Rosen have been dismissed in a manner which suggests discrimination of a serious order. Protests of the union to Washington have received no consideration. The dispute resembles in many details cases which the National Labor Relations Board ruled were discrimination due to union activities. The Post Office Department obviously is trying to stifle the dispute by the familiar strategy of delay. It should set an example to private employers by submitting this case to arbitration.

THE LATEST ATTACK on the sanctity of the home comes not from the communists who, as we all know, invariably believe in free love, but from the school-board trustees and other educational administrators who insist that married teachers, if they happen also to be women, must give up their jobs. At a recent session of the National Association of Women Lawyers at Los Angeles it was reported that many women teachers, afraid for their positions, are concealing their marriages, or are actually going to the lengths of getting divorces from their husbands—with whom, however, they continue on amicable terms—so that they may technically preserve their single status. If this were the height of the Educational Silly Season, it would be bad enough, but in New York City, a further peak has been scaled. Miss Rose Freistater has been refused a permanent teaching license because she is thirty pounds overweight. The alleged grounds for the refusal are partly that Miss Freistater is not a good insurance risk for the pension fund, and partly that embonpoint is not "esthetic." In the good old days teachers could be fat or thin, some of them were decidedly not "esthetic," and a few had perceptible mustaches. Obviously this was a slovenly way to appoint our teachers, and still more regulation may be in order. We suggest the following: All applicants for a teaching position must be blonde, slender, must dislike the company of males over fourteen, and must vote the Republican ticket regularly; they must not chew gum. This will put everything on a high intellectual level, and we can sit back and feel that our children's future is in safe hands.

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The Battle for Civil Rights

HOWEVER much various groups of radicals and liberals may disagree over doctrine and procedure, there is one cause in which they can fight shoulder to shoulder: the maintenance of the time-honored liberties incorporated in the American Bill of Rights. Freedom of speech and of the press, the right to petition for redress of grievances, the right of peaceful assembly must be cherished as faithfully today as they were when written into the Constitution, and by an active minority of the population they are as faithfully defended. The yearly report of the American Civil Liberties Union provides a thrilling record of this struggle; with an astonishing small membership and annual budget, the Union, aided by some of the most capable lawyers in the country, who offer their services in most cases without remuneration, has carried on the fight for civil rights with a zeal and persistence of which every sincere American patriot cannot fail to be proud.

The attack on workers' rights, the report shows, took precedence, for the number of persons involved and the violence of the repression, over every other aspect of the civil-rights struggle. There were many fewer lynchings than took place in the previous year, the situation has improved with respect to labor injunctions and the censorship of plays and books, the absurd deportation proceedings against John Strachey were dropped by the Department of Labor, and despite the efforts of the D. A. R., the American Legion, the Elks, and William Randolph Hearst, not one of the gag bills has at this writing succeeded in passing both houses of Congress. Of five Supreme Court decisions affecting civil liberty, two have been favorable: the Mooney decision, which may open the prison doors for Tom Mooney after almost two decades; and the Scottsboro decision which demanded a new trial for the defendants on the ground that Negroes were excluded from the jury panel. The court refused to take jurisdiction over the Herndon case; it upheld the right of a state university to demand military training of its students in spite of religious objections; and it upheld also the right of the Democratic Party in Texas to exclude Negroes from the primaries.

The opposition of employers to collective bargaining as provided for under Section 7-a of the NIRA has been the occasion for the fiercest contention between workers and their bosses. With the impetus given organized opposition to labor by the San Francisco general strike in the summer of 1934, the labor war has gone on in California, in the onion fields of Hardin County, Ohio, the truck gardens of southern New Jersey, and among the share-croppers of eastern Arkansas, to name only the high spots in the struggle. Workers' camps have been burned over their heads, union headquarters have been ripped to pieces by vigilante committees, the right to picket has been denied or nullified by the activities of police and in some cases by the militia, demonstrations of the unemployed demanding improvements in relief have been brutally crushed, and workers have paid with their lives for their temerity in attempting to carry out the letter of the federal law which affirmed their right to a labor union.

As an aspect of the labor struggle, an unprecedented number of criminal-syndicalism and sedition cases have come into the courts, the protest of reactionaries against unemployed demonstrations and left-wing unions. Criminal anarchy, criminal syndicalism, and sedition laws were invoked in Arkansas, California, Illinois, Iowa, and Oregon; the State of Georgia revived an ancient insurrection statute for the same purpose. As a result of the most publicized of these trials, that under the criminal-syndicalism law in Sacramento, eight defendants convicted out of seventeen tried are now serving sentences of from one to fourteen years. Attorneys and investigators attempting to aid the cause of workers arrested under criminal-syndicalism laws for strike activities have been kidnapped, run out of town, beaten, and otherwise intimidated. In the case of Robert Minor and David Levinson, seized in Gallup, New Mexico, driven out of town, beaten, and left in the desert, an attempt was made to get the Department of Justice to intervene on the ground that the two men had been taken into federal territory on an Indian reservation. The Attorney General not only denied jurisdiction, but the local authorities declared the kidnapping a hoax to get publicity.

This brief résumé of a pamphlet which should be read by everyone for whom the Bill of Rights is a reality worth defending indicates that the emphasis in the struggle to preserve a true Americanism is changing. A few plays are censored—notably Clifford Odets's "Waiting for Lefty"—the ban has been lifted on almost all books, bills requiring teachers to take loyalty oaths have been passed in twenty states, five Negroes were lynched from January to June, 1935—but these manifestations of reaction and lawlessness, serious as they are, are not the important aspect of the civil-rights battle. Old-fashioned liberals who have never failed to protest against violations of freedom of speech must realize that those violations occur most frequently and most flagrantly on the labor front. In the mines and factories, before the mill gates, in the halls of labor unions where legitimate work is being done in an orderly manner, the Bill of Rights is being violated and traduced by those persons who have taken an oath to defend it. No longer is it possible to assume a sincere, forthright—and detached—championship of civil liberties. The battle is being fought on the picket lines, at labor meetings, in the courts where striking workers must be defended. Journals of opinion like *The Nation* are forced to concern themselves more and more with labor. Membership in organizations like the American Civil Liberties Union should be increased a hundred-fold. The forces of reaction realize this perfectly well; they are tightening their belts for a struggle in which they clearly see the opposing factions, and which they mean to win with the aid of every government agency they can capture, by force, by money, by strength of numbers. It is heartening to know, as the Civil Liberties Union report shows, that protests are not lacking whenever they are needed. But these protests must be reinforced by many more thousands of persons giving their time, energy, and money if a democratic government in this country is to be preserved.

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Making America Safe for Martial Law

THE sedition bill which slipped through the Senate by unanimous consent, now (as HR 5843) is certain to be reported out of committee to the House and will pass, if it comes to a vote. So we are close to the enactment of a bill as dangerous to democracy as anything since the Espionage Act of 1917. The Senate text has been modified by the House Military Affairs Committee. The bill now requires proof of intent on the part of those charged with inciting soldiers and sailors to disobedience. The words "military and naval forces" have been changed to "army and navy," but this alteration is worthless if it is meant to keep the bill from safeguarding martial law, since legally the army includes the national guard. The description "regular" should be inserted before army.

The language of the bill loses its apparent innocence in a study of the Espionage Act and what happened under it, for that act too appeared innocent. But it will be recalled that the Circuit Court of Appeals, overruling Justice Learned Hand in the *Masses* case, found that "the utterance of words which may cause insubordination" came within the meaning of the statute. The present bill would punish all who "advise or counsel, or publish material which advises or counsels disobedience." So it is left to the courts to decide whether advice and counsel are to be measured by possible results. The insertion of the proof-of-intent clause in the present bill does not save it from being a sweeping denial of freedom of speech. For during the war the courts ruled that intent might be inferred from the reasonable effect of a publication. Thereupon, to quote Chafee's "Freedom of Speech,"

> . . . it became criminal to advocate heavier taxation instead of bond issues, to state that conscription was unconstitutional, though the Supreme Court had not yet held it to be valid, to say that the sinking of merchant vessels was legal, to urge that a referendum should have preceded our declaration of war, to say that war was contrary to the teachings of Christ. Men have been punished for criticizing the Red Cross and the Y. M. C. A., while under the Minnesota Espionage Act it has been held a crime to discourage women from knitting by the remark: "No soldier ever sees the socks."

When the Espionage Act was passed the public had no inkling how it would be used, and Congress did not weigh the measure with any understanding of its implications. Nobody foresaw the blight it would prove to genuine Americanism. But now the country has had experience with this kind of "innocent" legislation, and should be on its guard. For the Espionage Act can be pleaded the extenuating circumstances of war and the lunacy it engendered. No such excuse can be offered now. This sedition bill is a clear attempt to lay the broadest possible legal basis for the suppression of free speech and a free press in times of civil disturbance. It is not as though the army and navy have no legal means to punish incitement to mutiny. Both forces have existed without this proposed legislation for a century and a half, and nobody asking for this bill is able to supply the slightest evidence that it is needed for the protection of military and naval discipline. If the national guard is used to break a strike, or if martial law is invoked, any critique of these measures as policies becomes criminal. A newspaper expressing doubt of the wisdom of its elected representatives at such a time can be seized, and its editors fined and imprisoned. It would become criminal merely to object to the presence of troops in a city where there was an industrial conflict. The aim of the bill is better understood, too, in knowing that it is sponsored chiefly by chambers of commerce from all parts of the country, by their agents in Washington, and by the business men's lobby advising the President through Secretary Roper. What they want is plain enough. If it comes to a test of democracy, in which labor seeks to wrest a greater share of economic power from management by withholding its services, business intends to throw the national guard and the courts into its fight to maintain supremacy. This is pure fascism, differing no whit from the familiar technique of Hitler and Mussolini. This fascist bill will pass unless it gets lost in the pressure of legislation at the close of the session. Not enough time remains to wage a nationwide campaign against it. Also it is easy to divert attention from its real purpose by pretending that it applies only to communist agitation in the regular army and navy. The National Publishers' Association, as quick as lightning in defending the freedom of the press when the employment of child labor and union reporters is under discussion, refuses to lift a finger to defeat this bill.

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THE career of George W. Russell (Æ) is among other things a reminder of the fact that a national movement in literature can be international at the same time, and perhaps had better be if it hopes to succeed. The now famous Irish renaissance which got under way during the 1890's has come to be thought of as a purely local affair, and critics of a latter day who deplore the cosmopolitan character of contemporary writing look back with envy at a city, Dublin, which had the courage to cut itself off from other capitals and nourish a deep provincialism.

But Dublin did not cut itself off. Standish O'Grady's passionate "History" was trying to be Homeric, and succeeding; and the particular movement which drew Russell into it around his twenty-fifth year was so far from taking its impetus from native soil as to require the importation from London—yes, London—of a fertilizing mind. The movement was theosophical, and its bible was the books of A. P. Sinnett, the Esoteric Buddhist. When Æ began to publish poems in the *Irish Theosophist* he was speaking not merely as the Irishman that he was but as one who had ranged the earth for ideas and symbols with which to materialize his vision. "I know I am a spirit," he wrote in the foreword to his first volume, "and that I went forth in old times from the self-ancestral to labors yet unaccomplished; but, filled ever and again with homesickness, I made these homeward songs by the way." It was from the Movement that he had learned about his Ancestral Self, and the Movement had heard about it from the wise men

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of the East. Thus it was with a cultivated tongue that a man destined to become Ireland's prophet began to speak. With an imagination trained elsewhere Russell commenced a career which was to exhibit him before his death the other day as a poet, a playwright, a story-teller, an editor, a conversationalist, an agricultural economist, a painter, and a political philosopher. And his career was what it was, and Ireland is in part what it is, because he never lost contact with the two poles of his thought, the near and the far, the provincial and the universal, the Irish and the human.

As a poet Æ has usually been considered with William Butler Yeats the best of his time and place. But he is a very different poet from Yeats, and indubitably inferior. To be sure he has never incurred like Yeats the charge that he was posing; he has never played around among the philosophies; he has not gone through "phases." From first to last he has made his poetry serve a single vision, and the integrity with which he has done this is not the least impressive sign of his sincerity. Yet his endowment has never been one-tenth as brilliant as Yeats's. His "Collected Poems" is a monotonous volume, nowhere brightened by flashes of that felicity which Yeats possesses in a degree unique among his generation. Not merely is Æ invariably mystical, concerning himself from poem to poem with that life within his own life, that Oversoul inside the soul, which he considers it his sole business to search out; he is also invariably twilight in his mood, returning page after page to the same colors and sounds and to the same half-lighted landscape. All of which proves his sincerity rather more clearly than it does his genius. Possibly he is to be more respected than Yeats, and more implicitly believed; but less admired.

His influence while he lived was to a remarkable extent impalpable, and this influence will be the more difficult to measure as time goes on. Much of his best prose has never been collected from the files of the *Irish Theosophist,* the *Internationalist,* the *Irish Homestead,* the *Irish Statesman,* and other Dublin periodicals. His conversational powers, while there have been many to attest them, will in the nature of things have to go for the most part unrecorded. Padraic Colum has said that Æ seemed to have a "charm to prevent the world from wearying him." His talk was inexhaustible not only in itself but in its ability to stimulate the brains and tongues of others. Yet it must live on in the others rather than in anything which remains of him; just as his effort in the fields of economics and politics must be lost sight of as "progress" goes on and history is made.

Nevertheless he will be remembered in this latter connection as one who always kept himself superior to the moment and above the battle. He was a mystic even when it came to coöperative creameries and credit societies. And on the whole it could not have been bad to live in Ireland thirty years ago when a young patriot was exhorting his people in such words as these:

> Ah, my darlings, you will have to fight and suffer; you must endure loneliness, the coldness of friends, the alienation of love; . . . laying in dark places the foundations of that high and holy Eri of prophecy, the isle of enchantment, burning with druidic splendors, bright with immortal presences, with the face of the everlasting Beauty looking in upon its ways, divine with terrestial mingling till God and the world are one.

Monkey Business

IT was just ten years ago that a distinguished American statesman so far forgot that gratitude to his mother which statesmen commonly emphasize as to declare upon the witness stand his inalterable conviction that "man is not a mammal." This is, in other words, the tenth anniversary of the "monkey trial" at Dayton, and though the occasion has not passed unnoticed in the daily press, we have seen no comment upon what is uppermost in our own minds, namely, the sense that the trial was the climax of an epoch which, in wistful retrospect, seems charmingly innocent. The reactionaries of Tennessee were worried about the pernicious doctrine of evolution because they had nothing more serious to worry about.

The only important results of the trial were purely incidental. The champion of orthodoxy died of overeating a few days after he had won a hollow victory, and Mr. Mencken was enabled to compose a classic of American prose entitled "In Memoriam: W. J. B." The high moments in the trial were (1) when Mr. Bryan made the contribution to physiology mentioned above, (2) when a bewildered high-school student testified that he could remember nothing he had been told about evolution except that all life begins as a single cell and then confessed that he had continued to go to church after learning this distressing fact, and (3) when Mr. Mencken fell off a table into the lap of another visiting journalist. As for the anti-evolution law which the trial was supposed to test, it still remains on the statute books but it has not affected the teaching of biology in the state university. The Supreme Court of Tennessee disposed of the matter with characteristic courage by declaring a mistrial on purely technical grounds and then recommending that the case should not be reopened.

Over the entire proceedings brooded the spirit of Mencken. He himself in the flesh was heard to remark that he was having the best time of his life, and there was no reason why he shouldn't have been. This was his America behaving as he had always said that it did. He didn't invent the trial, but if it had not existed already it would have behooved him to invent it. Nothing that he had previously been privileged to report fitted so completely his favorite adjective, "gaudy"; nothing so perfectly illustrated his conception of the typical behavior of *Homo Sapiens.*

But the trial at Dayton was also a pre-depression phenomenon absolutely inconceivable today. The only threat which the embattled farmers felt was a threat to their traditional orthodoxy. Great lawyers could afford to devote their time to an extravagant junket. Even the principals knew that they were fighting shadows, and the animosities aroused were merely froth. The pleasant custom of "running him out of town" was not resorted to and nobody was lynched. Even the hill-billies were anxious to hear what the opposition had to say, and Mr. Mencken was treated with that respect which is the devil's due. It is not over such intellectual questions that we fight today, and the liberal lawyer will no longer be found having a limeade with the prosecuting attorney at the village soda fountain. Mr. Hays and Mr. Darrow are grimmer now; so, unfortunately, are the forces they oppose.

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Issues and Men

Home After Vacation

I HAVE been away on a vacation which actually took me out of the country—that is, I crossed and recrossed the Canadian boundary several times. For nine days in Alaska I was practically without news. But when I got back and received the daily newspapers, there wasn't any doubt whatever that I had returned to this country. For the headlines in the newspapers were the same old familiar ones. I believe I could have spoken most of them before opening the sheets. Sure enough, there they were: "Huey Long Calls Roosevelt a Liar"; "Roosevelt Taxes Scored as Menace by Business Protestants"; "Roosevelt Demands His 'Must' Program"; "Ickes in a Violent Controversy"; "Virgin Islands Scandal Aired"; "Glass Amends Administration Measure"; "Utilities Send Bogus Telegrams to Influence Congress"; evidently all was well and normal under the stars and stripes. But there was further confirmation of this fact: "J. E. Hoover Denounces Those Who Coddle Criminals"; "Department of Justice Declares Arrest of Chief Weyerhaeuser Kidnapper Near"; "Ex-Convict Slain in Streets, Two Seized"; "Two Policemen Killed Chasing Fugitives"; "Two Negroes Lynched in Mississippi"; "Watch on 55,000 Known Criminals Ordered By Commissioner Valentine"; "Special Prosecutor Appointed in New York to Investigate Rackets"; "Treasury Department Announces Impending Nation-wide Drive Against Liquor Violations"—its two-hundreth similar proclamation. Nothing but "normalcy" here, sufficient to delight the heart of any Warren G. Harding. What further proof need there be of our steady march toward law and order and universal happiness?

Then there were the usual disasters. Floods in New York, train wreck in the state of Washington, an earthquake in California, and that other familar natural phenomenon, Nicholas Murray Butler, returning from Europe and giving an earth-shaking interview on peace. Investigation after investigation; inquiry after inquiry. The stupid old public-service corporations making their usual blunders and going about the influencing of public opinion in just the wrong way; reams and reams of sports; the familiar bathing girls and beauty contests in the Sunday rotogravure sections. Industrial strikes, of course, unending, and the Administration announcing once more that it is going to put a lot of people to work and take them off the public relief rolls at some time and some place and somehow, in the near future. Business is going on as usual, with the usual amount of loud grumbling by business. And, alas, from every quarter fresh incidents in the bitter conflict between labor and capital, between liberalism and reaction, between liberty and fascism. No one can doubt that our great Ship of State is on an even keel!

Let me confess that somehow it was a good deal of a shock. I had been sailing on marvelous inland waters, skirting vast glaciers, seeing endless snow-topped mountains, and studying those outlying American fishing and fur towns which cling to their tiny bits of shore line and are cut off from the rest of the continent by impassable mountains or island fastnesses and wide straits. To come back from this fascinating scene to the realities of our everyday social and political struggle, and to realize how slow we are in making headway against the evils which confront us is not possible without considerable sinking of heart. Why is it that we cannot grapple effectively with some of these evils? Is it *all* due to the profit-making system as increasing numbers think? Somehow I cannot quite feel that. But who could deny that if at first everything did seem to change under the New Deal, little or nothing has actually changed? We are not even clear that we shall retain the social gains which at first seemed certain and secure.

The cynic could not fail to find much that is amusing and depressing in the declarations by a bar association and by Attorney General Cummings that the legal profession is now finally to be purged of its crooks—one serious proposal just made is that no lawyer except a public defender shall be permitted to appear in court to defend criminals. In that way, this reformer declares, we shall get rid of all shyster lawyers by one fell blow. I recall how many times Joseph H. Choate, William H. Taft, and Charles Evans Hughes demanded that the bar be purged and the standards of justice raised, and how year after year nothing happened. Must we wait for a Soviet State to go the advocate of the public defender one better and wipe out the whole legal profession? One also hears reports on one's journeyings that the liquor situation has not been improved by the abolition of prohibition, and that in some states, at least, conditions are much worse than under that discarded system.

Well, according to custom I must end this piece on a cheerful note, or I shall be accused of having an unusually bad attack of the grouch that so often accompanies a return from a particularly restful and helpful vacation. And so I must add in all sincerity that the ferment that we are in is in considerable degree proof of the awakening of large sections of the people to the struggle which is at hand. In Oregon I spent an evening with some fourteen liberals and radicals, all disillusioned followers of the New Deal, who assured me that liberal Oregon was done with F. D. R. and that they were determined to find some other way of expressing themselves at the ballot box than through either of the old parties. Every college campus I visit gives me proof that the young people are considering social problems and political issues, and are thirsting for knowledge about them, as never before in my lifetime. The number of small weeklies springing up in the West as journals of protest also tells the story. This will not avoid the clash or delay it, but it does mean that multitudes will go into it with genuine understanding of much that it signifies and portends.

Oswald Garrison Villard

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Life Insurance: The New Offensive Against Policy-Holders

By MORT and E. A. GILBERT

THE life-insurance companies have launched a new offensive against policy-holders. This spring they pushed through the New York State Legislature a new amendment to the existing insurance law. According to Albert Hirst, counsel for the New York State Association of Life Underwriters, "the law aims to prevent twisting [rewriting of policies]. . . . The amendment became necessary because of the rather startling experience that the New York City Association had in the prosecution of a certain Mr. Legg."

The Legg case, unique in many important respects, demands the attention of policy-holders. Mr. Legg, an independent insurance counselor, had advised a policy-holder to buy new insurance policies and cancel his old. The amount of insurance involved was $50,000. Without impairing this protection, the insured, by rewriting, reduced his costs by $728 and retrieved $10,870 in cash. The Mutual Life Insurance Company, from which the business was "twisted," took action against Mr. Legg. He was indicted for alleged violation of the state "anti-twisting" law, enacted in 1892, amended in 1923, and never enforced. The companies had never utilized the law in order to curb twisting because, contrary to popular conception, it is not an "anti-twisting" law at all. It merely declares it a misdemeanor to ". . . make any misleading representation or incomplete comparison of policies for the purpose of inducing [a policy-holder] to lapse or surrender his insurance."

By invariably referring to this law—and to similar laws in other states—as an "anti-twisting" law the companies have prejudiced policy-holders and intimidated agents. Thanks to the flood of company propaganda against rewriting, both the insured public and the soliciting agent are convinced that the practice is illegal. Rarely do the companies attempt to use the law as anything more than a threat. In Pennsylvania, for example, where an "anti-twisting" law has been on the statute books since 1921, not a single case has been tried under it, the companies being afraid even to test the law. Undaunted, certain companies in New York State determined to misuse the law to prevent Mr. Legg or anyone else from giving policy-holders further aid.

In the case of The People *vs.* Legg et al. (1931-32), the court had to decide whether Mr. Legg, in suggesting a rewrite, had resorted to "misleading representation and incomplete comparison of policies." The decision was based, of course, upon the consequences of the rewrite. Did the policy-holder gain or lose by the transaction? The perennial contention of the companies is that the insured "almost always loses." In keeping with this contention, they insisted that the twister must have violated the law, since only by misrepresentation could a policy-holder be induced to rewrite. If, on the other hand, the advantages promised by Mr. Legg were genuine, there could have been no material misrepresentation. Moreover, if he had no need to misrepresent, the implications are of tremendous significance in that they impugn the fundamental honesty of life insurance. Can policy-holders advantageously substitute new policies for old? If they can, we must conclude that the latter are basically unsound, that the overpayments, presumably for savings, made by the insured are not returned by the company at his death. For the most important effect of a rewrite is that the policy-holder salvages his overpayments.

The case finally reached the New York State Supreme Court. We will follow it through. Mr. Legg's contentions were taken from a statement he had submitted to the policy-holder, explaining and summarizing the replacement of policies. The Mutual Life Insurance Company had secured this statement and relied upon it as sufficient evidence to convict. The alleged misrepresentations in the statements were pointed out by an expert analyst, Joseph B. Maclean, associate actuary of the Mutual Life; his indictment included eight separate counts. The majority opinion of the Supreme Court was written by Justice Alfred H. Townley.

Legg, referring in his statement to the cash-surrender value of the policy, amounting to $10,870, had said, "You receive none of the earnings from this equity." Maclean claimed misrepresentation in that ". . . the insured received all of the interest earnings from the equity of the policy . . . part of it in cash as a dividend, and part of it as an increase in the cash value." The court held that Legg's statement was not open to that construction. In the words of Justice Townley:

> The statement itself in estimating the net insurance premiums upon the existing policy allows a credit of $570 for dividends. . . . The obvious intent of the representation was that, until the insured had taken the cash-surrender value of his policies, none of the income thereof would be available to him for any use outside of his insurance policies. . . . Taken as intended this statement was true.

(It is curious to note that Mr. Maclean, in an article published in the *Eastern Underwriter*, October 7, 1927, had presaged the court's opinion: "Part of the cost [to the insured] where the policy has a cash-surrender value is represented by interest on that value. . . . The company actually holds the amount of the cash value and earns interest upon it which is not paid to the policy-holder. The insured, therefore, pays over the interest on his cash value just as clearly as if he held the cash value himself, earned interest upon it, and paid the interest to the company.")

Legg further contended that "in case of death, this equity, $10,870, is a loss to your estate." The company, aware that the fundamental principles of life insurance were at stake, tried to establish misrepresentation: "The equity of a policy is not a loss [to the insured] in the event of death, since it forms a part of the amount of the insurance, and, in fact, was the whole basis of the level-premium life

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insurance under which both the Prudential [which issued the new policy] and the Mutual operate." The court was not taken in by actuarial sleight-of-hand; its interpretation is in effect a recommendation of twisting:

> This statement [Legg's] is literally true. In case of death the insured would only receive the face of the policy [$50,000], and would receive nothing more. . . . By surrendering the existing policies and taking out new straight-life policies, the insured would have insurance for the same amount, and at death would receive the face of the policies and have $10,870 in addition thereto, which would not be true if the present policies remained in force.

The remaining six counts of the indictment are not distinguished by their appeal to reason. We cite the opinion of the court on only two of them:

> The fifth alleged misrepresentation is the sentence, "In case of total disability prior to age sixty, you pay no more premiums." This is claimed to be false because suspension of premiums only occurred in case the total disability is *permanent*. That anyone would have understood it any other way seems incredible. The trivial character of this claim fairly indicates the spirit in which the criticism of this statement was undertaken.
>
> The eighth alleged misrepresentation is that the words "Net Annual Cost" at the end of the summary implied that the amounts . . . were payable for the same length of time. That anyone could possibly understand that a twenty-payment life policy with only ten more payments due would require the payment of premiums for the same period of time as a straight life policy is inconceivable.

We will skip the other four counts. Lest we be suspected of stacking the cards against the companies, we quote the Supreme Court's summation of the entire case:

> These alleged misrepresentations taken as a whole reflect nothing but a hypocritical examination of these statements [Legg's] undertaken in the hope that in a multitude of trivial criticisms might be found enough substance to support the charge made against these defendants. They are wholly insufficient to support the charge of misrepresentation, or to indicate any criminal intent on the part of the defendants. . . . The statements relied on by the people [*vide* Mutual Life Insurance Company] to sustain this conviction [of Legg in the lower court] concerned minor details and incidents connected with the insurance contracts which did not affect or destroy the substantial merit of the suggestion made by the defendants to the insured with respect to his policies. . . . The judgment should be reversed, the information dismissed, and the appellants [Legg et al.] discharged.

It is significant that the minority of the Supreme Court could dissent only by accepting Mr. Maclean's testimony *in toto* without the slightest investigation of its validity. Justice Francis Martin, who wrote the dissenting opinion, seemed to hold that Mr. Legg's manner of approach to his client was enough to convict him. According to Justice Martin:

> The indirect method of approaching the subject indicated that they [Legg, his associate, Stapler, and the insurance agent, Anderson, who was acquitted in the lower court] were not frank in presenting the proposition, and that it was being carried out through fraud and deceit. The attempt of these defendants to avoid each other while carrying out the details of the transaction and their failure to disclose their connection or identity emphasize the fact that they knew they were attempting to carry out a scheme or transaction which was forbidden by the insurance law.

Rich in unconscious humor, Justice Martin's opinion fails to mention the inexorable fate of agents who twist openly. Legg's "indirect method" was patently an effort to protect the agent from the wrath of his company.

Beyond doubt, the outcome of the Legg case was, as Mr. Hirst called it, a "rather startling experience" for the companies. This precedent materially weakened the effectiveness of the existing law as a threat; hence the need for the amendment. Intended to reinforce the "anti-twisting" law, to make it more difficult for policy-holders to obtain help, the provisions of the amendment merit scrutiny. First, the amendment forbids the issuance of any illustration which misrepresents the conditions of any policy or falsely estimates dividends. No one can quarrel with that. A true representation usually makes an overwhelming case in favor of a rewrite. Second, it prohibits misleading representations as to the standing of any insurance company or of the legal-reserve system. An unstable system based upon fundamentally unsound principles cannot be perpetuated by legal benediction. Third, the amendment debars incomplete comparisons, that is, comparisons which do not include net premiums and gross premiums, growth of the theoretical cash value, disability and all other benefits, for the duration of the contract according to the expectation of life; to be complete, the comparison must mention possible differences as to amount or period of premium payment, including differences in incontestability and suicide clauses. The transparent intent of the companies is to compel twisters to analyze policies from a specious, actuarial point of view in the hope that, owing to limited knowledge, the policyholder will be "taken in." Furthermore, the twister is obligated to warn the insured that under the terms of the new insurance he must postpone committing suicide for two years!

A revealing light on the foregoing provisions is cast by the one which stipulates that the policy-holder is not presumed to know the contents of his policies. The companies seem unaware that their request for this provision is tantamount to an auto-indictment. Had the agent who sold the original insurance given "complete representation," had he presented "complete comparisons" with other forms of insurance, the policy-holder could not be ignorant of the conditions in his existing contract. Moreover, the chances are that he would not have purchased it had he known them.

The real significance of the amendment is in its intentions and implications. Despite the "substantial merit" of rewriting, the companies are intensifying their campaign against it. Insurance is inordinately overwritten; nine policies out of every ten taken out are lapsed or surrendered, only one being carried to its intended completion. Behind the statistical computation of the enormous lapse ratio lie the unrecorded tragic case histories of unprotected dependents. Yet the companies persist in their indifference to the plight of their policy-holders. Little concerned with the original purpose of life insurance, they have become simply big-business outfits disguised as mutual benevolent institutions, each controlled by a self-perpetuating management. In theory, policy-holders own their companies. Unless they establish and assert their ownership, there will be serious repercussions in life insurance.

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The Sabotage of the Leviathan

By PETER EHLERS

THE ship-subsidy racket flourishes under the New Deal as under the old. Despite Senator Copeland's whitewash of the Department of Commerce on the Mitchell charges, the department is working hand in glove with the same shipping executives who drove a bung into the Treasury under Coolidge and Hoover.

The peak of interest in the three-day investigation by Senator Copeland's Commerce Committee came at the final session, when the Leviathan lay-up was disposed of. Mr. Mitchell's poorly considered and loosely worded charges were generally accepted as duds after the first day's hearings—that is, all but the Leviathan charge. (He had written to President Roosevelt that "Secretary Roper recently has executed the contract involving the permanent lay-up of the Leviathan, which results in Vincent Astor, Kermit Roosevelt, the Franklins [P. A. S. and his son John M.], and other stockholders of the International Mercantile Marine Corporation being relieved of paying $1,720,000 justly due the government, without any consideration whatsoever for such release.") The vessel and the numerous deals involving her, from the close of the war on, have been a constant subject of sotto voce conversation among shipping men in New York and Washington. Secretary Roper, therefore, took no chances. He appeared at the final hearings with a long string of Commerce Department subordinates laden with data in refutation.

Roper testified that the vessel was "unseaworthy" and that "fear existed in the minds of passengers on these trips as to the safety of the Leviathan, some alleging it was a firetrap"—a serious charge, and one that might well have been looked into immediately by the Steamboat Inspection Bureau. He called Mitchell's figure of $1,720,000 "purely imaginary," and ended by expressing enthusiasm for the proposal that the Leviathan be made into a school for training sea personnel.

James Craig Peacock, director of the Shipping Board Bureau, was the principal witness really acquainted with the facts. He explained that the International Mercantile Marine lost money every time it ran the ship. At the close of the season last year the New York *Times* printed the company's claim that it had lost $500,000 from the five voyages. Peacock put the loss at $741,000. He went on to describe the new lay-up plan as "a fifty-fifty split" whereby the government assumes half the estimated loss on the vessel in return for a promise by the I. M. M. to build a new cabin liner of the Manhattan-Washington type. Withdrawal of the Leviathan from operation, he told the committee, was a "sound proposition" from the standpoint of the government.

Senator Copeland, after telling newspapermen not to "take any stock in rumors that ship-subsidy legislation will not be enacted at this session," declared: "So far as I have any influence with the government, we will never operate the Leviathan."

Both Peacock and Roper denied that the lay-up contract had been executed at the direction of the President, but said that the President had approved it. Just before the contract was signed, in fact, President Roosevelt was reported at a press conference as "losing patience" with its critics. The President reiterated his approval while the Copeland hearings were progressing. According to the *Times,* he "regarded it as silly to cause a company to take a certain loss provided they would take the expected loss and devote it to building new ships." A wholly one-sided case, it would appear. A shipping firm contracted with the government to operate a vessel a certain number of voyages per season. The vessel lost money. Why not, then, lay her up, take the money that would have been lost, and put it toward the building of a new ship, to the greater splendor of the American merchant marine?

These would seem to be all the facts—but they are not. The whole story of the Leviathan involves, besides the lay-up contract executed this spring: (1) an unsuccessful attempt to take the vessel out of service last spring; (2) the contract by which the International Mercantile Marine took over the United States Lines from the so-called Chapman interests in 1931; and (3) the contract by which the Chapman interests took over the United States Lines from the government in 1929. It is simplest to start with the last mentioned point and work up chronologically.

In 1929, after the Jones-White act had been passed and mail subsidies instituted, the government put up for sale its choicest ships. This was in direct compliance with the "take the government out of business" cry set up by the shipping propagandists as soon as it had become clear that there would be more profit in the mail contracts than in the previous, and none too stingy, managing-operator contracts for government-owned vessels. P. W. Chapman, a Chicago banker, working with Joseph Sheedy, a former Shipping Board official, entered a high bid of $16,500,000 for the Leviathan, Republic, George Washington, America, President Harding, President Roosevelt, and a fleet of five American Merchant liners. Chapman paid about $4,000,000 down and gave the government a mortgage for the remainder. While this deal was an almost incredible gift to him, it should be remembered that the professional ship operators were in such a sanguine state of mind that the highest bid offered by any one of them was only $10,000,000—for eleven transatlantic vessels, including the largest ship afloat! These professional operators at once got to work to put the skids under the Middle Western outsider. With the help of Postmaster General Brown, Secretary of Commerce Lamont, and Lawrence Richey, Hoover's closest secretary, who sent an unsigned memorandum to the Shipping Board, they succeeded in ousting Sheedy as operating chief of the Chapman lines; and as Chapman knew almost nothing about shipping he soon found himself suffering heavy losses and in financial hot water, especially in the matter of the Manhattan and the Washington, which were at the time building in Camden with the government putting up three-quarters of the cost. The Shipping Board then prepared to auction off the fleet again—less the old George Washington,

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the America, and the Republic, which were taken back by the government; this left the Shipping Board's equity in the reduced fleet at $8,457,000—the amount, that is, that was unpaid from the sale price of $16,500,000. This $8,000,000 is a key figure in what follows.

Two groups bid for the liners. On the one hand was the powerful International Mercantile Marine, headed by P. A. S. Franklin. On the other were Western shipping and banking interests, including R. Stanley Dollar, of the Dollar Steamship Company, Herbert Fleishhacker, and Kenneth D. Dawson. Chapman, in a surprise move, lined up the Western interests and put in the high bid. But it was said that it failed to comply with specifications, and the I. M. M. forthwith claimed the ships. Fleishhacker went to President Hoover, and as a result the Shipping Board commenced private negotiations with Mr. Dollar. But these were stopped by the late James Francis Burke, lawyer for the I. M. M., secretary of the Republican National Committee, and close friend of the President. Hoover was in the middle. It was then suggested that the rival groups go to a hotel room and "get together"! Bids were changed, and in the wrangle Chapman was eased out.

The upshot was that the I. M. M. got the ships for a new company, the United States Lines, in which the Dollar group took a large block of securities. The total price paid was only $3,170,000! The government wrote down its equity about $5,000,000 and made a gift of this sum to the I. M. M. Nor was this all. First, the interest rate was cut to one-half of 1 per cent. Second, the I. M. M. was not required to pay a penny of interest for three years. Third, it did not have to pay a penny of principal for three years. Fourth, it was given the half-built Manhattan and Washington, started by Chapman. (The United States Lines, for all its prating about building up the American merchant marine, has not laid a single keel since the construction subsidy became available.) Fifth, the $500,000 mortgage interest that had accrued under the Chapman management was canceled. It should be added that through June 30, 1933—that is, before the I. M. M. had paid the government a dime—a total of more than $6,000,000 was paid out by the government in mail-contract subsidies, twice the amount of the fleet purchase!

The important thing here is that during all the negotiations the Shipping Board was adamant on one point: the consideration for the I. M. M.'s being given the fleet so cheaply was that the Leviathan must be run. There was never the slightest doubt that she would lose money. Testimony in the Black Ocean Mail Committee hearings by the I. M. M. officials bears this out as follows:

> Senator Black: The Leviathan was taken over with a definite understanding about it?
>
> R. M. Hicks [I. M. M. lawyer]: If you had not agreed to operate the Leviathan and knew you were going to operate her at a loss, you would have had to pay more than the $3,000,000 for the note [that is, the I. M. M. would not have been given the $5,000,000 write-down]. [Page 4,104.]
>
> John M. Franklin: We said before we bought the line, which is exactly what we did say, the Leviathan losses would be very heavy, and that was one reason we got the fleet so cheaply. [Page 4,146.]
>
> P. A. S. Franklin: There isn't any question or doubt that the payment was reduced on the understanding the Leviathan would be taken. [Page 3,785.]

The contract provided that the giant liner be run seven voyages a year for five years (1931-36), with the option of omitting up to two voyages each year on the payment to the government of $10,000 per voyage. In addition, there were large forfeitures to be paid for total non-operation of the vessel. It is partly upon these that Mitchell bases his $1,720,000 loss to the government; the figure is disputed, but it will be shown later that, if anything, it is too small.

The contract was executed at the end of 1931, and hence only one voyage was made in that year, as was provided for. In the summer of 1932 the Leviathan made all her seven voyages. Then the I. M. M. made an additional contract to run the ship eight extra voyages through the winter of 1932-33. The contract's validity was challenged by the Comptroller General. Moreover, it was charged that the I. M. M. was seeking to pile up the Leviathan's losses during the lean winter season so that the government might permit her withdrawal, which would remove her from competition with her sister ship, the Majestic, of the British White Star Line, in which the I. M. M. had a heavy interest (while receiving subsidies for building up the American merchant marine). It is noteworthy that when the I. M. M. got the vessel from the Chapman company it at once changed her destination to Bremen, which put her in direct competition with the Europa and Bremen and removed her as a competitor of the Majestic.

After the unprofitable extra voyages during the winter of 1932-33, the company received permission from the retiring Hoover Shipping Board to take the vessel out of service. In the spring of 1934 the I. M. M. again applied for lay-up permission from the Roosevelt Shipping Board Bureau, for, despite the unsupportable action of the Hoover board the year before, the 1931 contract was still in effect and the vessel was supposed to run. At that time Henry H. Heimann, executive manager of the National Association of Retail Credit Men, was director of the bureau. Previously Heimann had been head of the shipping subcommittee of Roper's Business Advisory and Planning Council. On being made head of the Shipping Board Bureau he wrote a memorandum to Roper approving the lay-up. Roper himself was reported, after I. M. M. officials had called on him, as favoring the proposal. But the move was blocked by Thomas M. Woodward, who with Heimann and Admiral Hutch I. Cone formed a sort of executive board in the bureau. Shipping executives would love to have Woodward's scalp; he has upset their apple-cart on many occasions. In a minute and almost unanswerable memorandum to Roper, Woodward took up P. A. S. Franklin's arguments for the lay-up and one by one let the sawdust out of them. Roper ordered the Leviathan to run. The memorandum was never given to the press, and was inserted into the record of the Black committee in the last few minutes of the hearings. Inasmuch as the I. M. M. offered the same arguments this spring as last—with one difference—the document is pertinent now.

The gist of the I. M. M. proposal was that the Leviathan stood to lose $500,000 during each of the three contract years then remaining, and that the I. M. M. would take this

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$1,500,000, add to it $500,000 of new money plus the $500,000 it had saved through the non-operation in 1933 allowed by the Hoover Shipping Board, and undertake to build a new $10,000,000 vessel of the Manhattan-Washington type, if the government would loan it the remaining $7,500,000 under the construction-loan terms of the Jones-White act of 1928. In short, it asked the government to sacrifice the prestige of the American merchant marine contracted for in 1931, when, as has been shown, a whole fleet was virtually given away with the operation of the Leviathan the chief consideration. The presumption of the I. M. M.'s demand is heightened by the fact that the Jones-White construction-loan law was in itself a means of obtaining favors from the government. The law was extremely generous and led to loans that will probably never be collected. President Roosevelt has denounced the construction-loan principle, but it is included in the new Bland-Copeland subsidy bill. In support of its proposal the I. M. M. argued (1) that the Leviathan was twenty years old; (2) that unless there were a vast increase in transatlantic travel she would always be operated at a loss; (3) that she could not compete with the more modern sea giants—it was alleged that she pushed tons of water before her by reason of her design, and was therefore too slow.

These claims can be almost entirely refuted. Although the Leviathan is twenty years old, she was reconditioned by the government in 1921 at a cost of nearly $10,000,000, which added ten years to her life, so that she will be good until 1942. Probably the vessel will always be operated at a loss. P. A. S. Franklin's estimate of that loss at the time his firm bought the ships was $700,000 a year. Note however, that when it came to drawing money out of the I. M. M. till, the estimate, in the construction-loan proposal, was $500,000. But it is worth while to look farther. The total gross loss of the Leviathan for the sixteen voyages she made under the I. M. M., until the spring of 1934—including the eight off-season voyages during the winter of 1932-33—was actually only $625,016, less than that estimated for a single season, and all this during the worst of the depression. What is more, the $625,016 figure is padded in that the Roosevelt Steamship Company, a subsidiary of the I. M. M., milked the United States Lines of a commission charge of more than $27,000 per voyage. Still more, "excessive intercompany charges, commissions [other than that of the Roosevelt Company], and wharfage helped to swell the losses of the United States Lines," according to Woodward. And further, the claimed loss on the Leviathan was $40,751 per voyage, yet from April, 1929, to December, 1931, the Chapman group operated her for forty voyages and realized a gross profit of $2,809,819, or $70,245 per voyage. In 1931, before I. M. M. operation, the Leviathan carried more passengers than any other ship except the Bremen and Europa, and carried more first-class passengers than either of those vessels.

As to the ship's inability to compete with "speedy, modern monster steamers," as Kermit Roosevelt calls them, there is a good deal of argument. It is true that she is not fitted out in the penthouse style of the Normandie. But that she is necessarily slow by reason of her design is not true. The ship, according to Woodward:

> . . . was designed for standard commercial maximum speed of 30 knots, but is capable of doing substantially more without injury to hull or frame [on her first voyage the Normandie averaged 29.68 knots and her top speed was 32 knots]; she is designed, and is the outstanding example of such design, on the seaplane principle . . . instead of pushing before her tons of water, as suggested by Mr. Franklin, the faster she goes the more she will rise out of the water . . . her original design has been changed and rendered much less efficient by the wrong location of wing tanks which have tended to unbalance the stem-to-stern position in that the tanks as now placed make her sink head down when all tanks are full. In addition, the propellor blades now on the Leviathan are not the type originally designed for the vessel, and not so efficient.

The last two assertions would be a good subject for a Congressional investigation.

When the I. M. M. officials applied for a lay-up this year, the situation and the arguments, as has been stated, were the same as in 1934, with one exception. This spring they stood to save two years' losses instead of three, and instead of offering to put in escrow for construction of a new ship $1,500,000 ($500,000 for each year of the three years), they offered only $500,000. According to their proposal of last spring, they should offer twice $500,000—based on their original 1931 estimate, it should be twice $700,000. And this, one concludes, is what James Craig Peacock, present head of the Shipping Board Bureau, meant when he said the arrangement was a "fifty-fifty split."

The government subsidized the United States Lines partly, as the shipping propagandists never weary of repeating, to "compensate for the difference between foreign and domestic operation [labor] costs." Yet the Black committee discovered that in 1933 at the beginning of the Roosevelt Administration, when the committee had just begun its disclosures and the shipping people, fearful of contract cancelation, were sending out a flood of press releases on the above theme, 24.81 per cent of the employees of the United States Lines were "first-papers" foreigners, that is, men who are still essentially foreigners and are accustomed to working sixteen hours a day.

To sum up, in its transactions involving the Leviathan and the I. M. M. the government (1) failed to obtain the full benefit that was to accrue to American labor; (2) gave away five million dollars in the 1931 write-down; (3) signed away the merchant-marine prestige that went with operation of the Leviathan in the summer of 1932 and subsequently; (4) allowed the I. M. M. to save $2,100,000 estimated losses in those years, on the figures of Franklin himself; (5) paid the United States Lines more than $10,000,000 in mail subsidies after 1931, to say nothing of the subsidies to other I. M. M. affiliates—the Baltimore Mail Line, the Panama Pacific, and the American Pioneer.

What valid excuse, then, did Secretary Roper have to reopen, this spring, the Leviathan lay-up negotiations? The only point brought out at the Copeland hearings that might have warranted such a move was Roper's claim of "reports of passengers" that the ship is "unseaworthy" and a "firetrap." And Roper stressed the losses of the ship more than the "unseaworthiness." I have it on the authority of an expert well acquainted with the entire Leviathan situation that there is no basis whatever for the firetrap theory. And if the Leviathan is a firetrap, then so is her sister ship, the Majestic, which the British have seen fit to continue in operation.

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Who Gets Supplementary Relief?

By C. HARTLEY GRATTAN

WHO gets supplementary relief? Relief administrators, with their minds and eyes closed, say one group. The facts show that another and entirely different group is aided. Taking the nation as a whole, about one-sixth of the households on relief have one or more members holding jobs with private employers. The fact that these households are on the rolls clearly implies that the earnings of employed members are not, singly or jointly, sufficient to enable them to purchase the minimum-subsistence living allowed relief clients. Since that living is of an appallingly low standard, to require supplementary relief and to obtain it simply means that the worker's earnings are almost infinitesimal when placed against his responsibilities.

The outstanding factors in this situation as it is viewed by the relief administrators are three: (1) low wages; (2) underemployment; and (3) family responsibilities. While theoretically no worker is accepted for relief who is working full time, no matter how insufficient his earnings, practically this prohibition is not observed in all instances, for on humanitarian grounds it must occasionally be ignored. By and large, underemployment at low rates of pay, combined with large family responsibilities, explains most of the cases. While it is not possible to review the situation in detail, since the extent of supplementation varies not only from city to city and section to section but also, and most importantly, from family to family, it is nevertheless possible to obtain some enlightening glimpses of the nature of the problem. Take a notoriously high-profit industry like tobacco. A study made in Winston-Salem, Durham, and Richmond showed that about one-eighth of the households on relief included tobacco workers. Of these, 29 per cent "had some employment during November (1934) and also received relief during that month," but "whatever the size of the family, earnings were insufficient for minimum subsistence according to the relief standards in the cities in question." Here is a condensed picture of the situation:

	Households with one person working	*Households with two or more persons working*
Median number of days worked	16.3	30
Earnings per month	$21.91	$42.91
Median number of persons dependent	4.4	4.7
Relief received	$11.58	$14.66

A little calculation will reveal that several important points are concealed in these figures. Since the "two or more persons" data cannot be analyzed, let us take the "one person working" household. Assuming that a normal working month is four six-day weeks, or twenty-four days, these figures clearly show that at full time the worker could earn but $29.21, or $4.28 less than the relief standard of $33.49 for minimum subsistence. In short, the tobacco industry, with its huge profits, cannot afford to pay its unskilled workers (mostly Negro females in this instance) wages equal to relief—approximately $8.36 for a six-day week. This is the most revelatory study yet made, but additional light on how much the relief households earn is available.

In Dayton, Ohio, it was discovered that 98 per cent of the households receiving supplementary relief had incomes of less than $20 a week—usually much less. A study made in Philadelphia, the results of which are reported in a somewhat different fashion, showed that of 10,358 families on direct relief whose situation was analyzed, 4,092 had non-relief incomes in the week studied to a total of $14,167.19. The total budget was $120,951.19, leaving a deficiency made up out of relief funds of $106,784. Finally, as to the extent of the problem in various cities, it is known that in Bridgeport and Baltimore in May, 1934, 22 per cent of the relief households had non-relief earnings, in Chicago 13 per cent, and in Seattle 6 per cent. The average earnings per person in the household varied from $3.16 per week in Baltimore to $1.78 in Chicago. Obviously these incomes required supplementation. As to rural conditions, a study of incomes in scattered farm areas brought out that relief households other than those of farm operators, with members employed in October, 1933, had incomes of $32 a month for whites and $23 for Negroes. Such cases were necessarily receiving supplementary aid also.

These facts were turned up by research workers taking an official and exceedingly blinkered view of the situation, and in themselves provide a complete justification for a humanitarian policy. The official notion is that it is the worker who is getting supplementary relief. This is hardly an accurate statement of the situation. *The person whose income is supplemented is the employer.* It is by this "humanitarian" device that the employing class chisels in on the relief funds—the only funds distributed by the Roosevelt Administration which have directly benefited the masses of the people.

From any sensible and civilized point of view the maintenance of the population is a legitimate charge upon the economy of the nation. Under present conditions that economy is in the hands of private owners. Except in rare instances—one of which will be discussed below—the private owners of industry have not taken general responsibility for the workers and their dependents. In times past the workers, when in difficulties, have been shifted to the care of private charities or to the care of the state as provided by various kinds of social legislation. During the present depression the federal government has underwritten unemployment relief by design, and by accident has picked up thousands of casualties who more properly require other kinds of aid not currently available. The government is more and more coming to carry the burden of taking care of those who, for one reason or another but chiefly because no work is available, cannot maintain themselves. It gets the money to perform the job from taxes. Indirectly, then, private ownership takes care of the casualties of our economy. But only indirectly—and never completely. How incompletely it takes care of unemployment cases—the vast majority of those now receiving federal funds—can be seen by comparing the probable wage loss of the workers since the beginning

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of the depression with the amount of relief paid out. The difference will run into eleven figures and represents the extent to which private ownership has received public aid from this particular source. In the case of what is technically known as "supplementary relief" it is possible to see the process unmistakably at work—without concealment.

It is because so much confusion exists in the minds of the specialists in relief problems that this fairly elementary point may strike the reader as a novelty. Loose thinking has resulted in the separation of the economy and the state in spite of the obvious dependence of the latter on the former for funds. It is but infrequently perceived that when the state assumes burdens properly chargeable to the private owners of the economy it is, in effect, subsidizing the owners. By relieving them of the necessity of maintaining workers formerly attached to their industries, it at one and the same time protects property from the assaults of the dispossessed and protects the profits, or drastically reduces the losses, of the owners. Thus relief becomes, under present arrangements, only to a minimum degree a humanitarian enterprise ("Nobody shall starve"), for it is to a far greater degree a method of propping up the system of private ownership. This is most clearly apparent in the case of "supplementary relief." The employers allege that they cannot pay higher wages or employ the workers for longer hours because it would make operations unprofitable. (This is an obvious lie in the case of tobacco, but let that pass.) They thus compel the relief administration to provide the difference between what they choose to pay the workers they employ at all and minimum subsistence. The relief administrator, by maintaining the workers, gives a direct subsidy to employers.

The fate of the Southern share-croppers clearly illustrates how agricultural employers, for many years directly responsible for their workers, have gone about acquiring the traditional prerogatives of industrial employers. From the close of the Civil War until just the other day share-cropping involved the provision to the cropper by the landlord of "furnish" (goods and services) sufficient for a full year. As the system has fallen into decay, this has become a burden to the landlord from which he has attempted to escape. Several methods have been used, one of which is to force the share-cropper into the status of a landless day laborer paid only when he works and hence responsible for his own "furnish"; another is to refuse "furnish" to all members of the cropper's family who cannot work—thus cutting off from subsistence the very young, the very old, the ill, and the handicapped members of the household; and the third is to supply "furnish" only during that part of the year in which the cropper's labor is indispensable for production. The refuge of the cropper subjected to these policies has been the relief office. When no day labor is obtainable and resources are exhausted, or when non-workers cannot be cared for from household earnings, the croppers go on relief, and the landlord thereby derives a subsidy from federal funds and is on a par with the steel, coal, copper, tobacco, and automobile barons.

In the share-cropping and other agricultural areas where low pay is notoriously the rule, it becomes quite a problem in the busy season to get the workers off relief, for a better living may be had on relief than off—to the eternal disgrace of the owning class. In such circumstances the collusion between the local relief administrators and the landlords emerges into the open. For while the latter will not pay decent wages and keep the workers off relief altogether, the former have no scruples about supporting low wage scales by excluding the workers from relief during those seasons when the miserably paid work is available. In effect, relief is used to maintain a cheap working force for the landlords. How this is arranged is clearly revealed by a proposed "solution" of the farm-labor problem in Gloucester County, in South Jersey, as printed in the Woodbury, New Jersey, *Evening News*, April 3, 1935. The four-point program follows:

> 1. Put relief matters up to the local municipalities with responsibility centered in the hands of those knowing the needs of those in that community.
> 2. Stop relief in rural communities during the growing season.
> 3. Employment needs of the farmers to be supplied through the county relief offices.
> 4. Lowering of relief so that the unemployed will be spurred to accept positions when offered.

Usually, however, the arrangement is tacit and not open. In fact, the South Jersey cooperative scheme was scotched as an open arrangement, but it is probably being carried out secretly. Such a program was carried through in the tobacco regions of North Carolina last year, where tobacco growing as well as tobacco manufacturing is subsidized by relief. The technique has been applied in the Colorado beet country, in Michigan, and in strawberry-growing regions as well.

Thus the euphemism that it is the relief client who gets supplementary aid plainly breaks down under analysis. The question is one that is likely to become more and more acute during the next few months. As the pious efforts to keep to NRA code wages and hours collapse under the drum-fire of competition, two things will happen: there will be an increase in unemployment because fewer people will work longer hours; and there will be a rise in the relief load. Part of the increase will consist of completely dependent households; part will be cases where low pay will require "supplementation." The relief authorities will necessarily be forced to care for the completely dependent, but how will they solve the problem of supplementation? Douglas Falconer of the New York City Home Relief Bureau has indicated the probable line: Since sufficiently great increases in relief appropriations cannot be anticipated, cases now on the rolls will be thrown off if the household income is as much as $5 a week; and naturally no new cases will be accepted if the income equals that amount. This will automatically cut by more than one-half the relief standard in New York City, where the average allowance in December, 1934, was $48.38, for if this $20 standard is applied to supplementation cases, how long will the completely dependent families escape the ax? Thus the pressure of supplementation may wreck even the current disastrously low standards of relief. The chiseling of employers, combined with the responsible administrators' unclear conception of just what relief—particularly supplementary relief—is, will make a further contribution to what the employers seem hell-bent on achieving—low wages and low living standards for the working class. It is imperative that the situation be seen in a clear light in order that the blame may be placed where it belongs. Nowhere is the light murkier than where relief officials solemnly gather.

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Books in Germany

By I. A. LEVITAN

SATURDAY afternoon in Berlin. The day's work is done and I walk aimlessly through the streets. I enter a bookstore in an old, dilapidated building. A man of about seventy with a long white beard greets me. I look around the half-empty shelves. Few good books are there; in the main there are only theological volumes and cheap novels. Though the books do not interest me I want to talk to the old man. I hesitate; one seldom speaks to strangers. "You do not have many interesting books," I venture.

"No, not many," he replies in a slow, meditative tone. "But where will you find interesting books now? Nobody cares for books any longer, or those who still care are ashamed to admit it. I would not be able to sell good books if I had any. Besides, the best books are prohibited."

I am astonished at the bravery of the old man; to speak so freely to an utter stranger! A storm trooper walks up and looks in the window. I point to him and ask the old man to speak more quietly.

"I am not afraid of anyone," he snaps back at me angrily. "I am an old man, over seventy. I have lived my life, and all my life has been associated with books. Only two years ago I had three of the largest bookstores in the city, with a stock worth well over a million marks. Only two years ago I had an international reputation. Book collectors and librarians the world over knew my firm and I supplied them with the rarest books. What have I today? This little shop which my Jewish landlord permits me to keep though the rent for the last six months is still unpaid. Why should I fear? My reputation, my name, my life accomplishments are ruined. Should I fear for my life? A man over seventy does not do that. What have I in this world? How can I sell books? To whom? The best books may not be sold; the internal market is ruined; foreign purchasers refuse to buy from us."

In the building where I lived there was a bookstore and lending library on the first floor when I moved in; it was gone before I had to leave. One evening I dropped into the shop. It was a mess. Books lay all over the floor; the proprietor and his young daughter looked frantic. "What is the matter?" I asked casually.

"What is the matter? Man, life is becoming impossible. First, when this government came to power, they confiscated the best-sellers. Well, that I could understand. They were socialist and communist books—propaganda, theory, and books about the Soviet Union. But now new prohibitions are announced every day. One does not know where one is. S. A. men just invaded my store and confiscated twenty-eight books, works by Strasser, Röhm, and other former leaders. And the robbers even wanted me to sign a paper saying that I was donating these books of my own free will, for the good of the fatherland, I suppose."

"And father refused to sign," the girl interrupted. "He is so stubborn. He will end in a concentration camp."

"Well, why not? Our present income might suffice for you alone; now it has to feed two. For the last four months we have not taken in more than three marks a day. Out of that we have to pay rent and live. And the intolerable taxes! Our customers used to be civil servants and government employees. They used to borrow three or four books a week even when we charged forty pfennigs a volume. Now we charge only twenty, but few of them still come, and those who still borrow take only a single volume. I do not blame the poor souls. Their salaries have been cut, and besides they complain of the lack of interesting reading matter. They have read most of the old books I have, and as to the new ones—well, after trying one they refuse to take another."

One morning about two weeks later I saw a sign hanging in the window: *Zu Vermieten* (For Rent).

I met a Communist by appointment in a cafe in Moabit, the proletarian section of Berlin. The best way to describe Moabit is as an old German woman once described it to me: "Das rote Moabit bleibt schon immer rot." (Red Moabit will always remain red.) After talking a while we took a walk. We passed a bookstore. Half a dozen copies of Hitler's "Mein Kampf," some of Göring's books, the Propaganda Minister's masterpieces, and others of the same category graced the window. "Let's go in," I suggested, "and look over the new literature."

"You will be surprised by what you will see," my companion said.

"Not at all," I assured him, "I have seen that stuff often enough, even read some of it."

We entered. My companion greeted the young fellow behind the counter. "An American correspondent," he introduced me. "He wants to see what you have."

"Here are the works of Rosenberg on culture," the clerk began. "Here are Zimmermann and Bartels on the same subject. The latter I can sell you at a reduced price. Have you read 'Schlageter' by Hans Johst? Ehrinberg's 'Deutsche Passion, 1933,' too, is highly recommended. Would you perhaps care for Günther, Doree? They are very important. They have revealed to us the Teutonic soul and the importance of racial purity. Perhaps politics interests you? Economics? Please let me show you—"

"Zum Donnerwetter, Fritz," my companion interrupted, "he is safe. He is one of us, an American friend. Show him what you have."

Suspiciously Fritz's glance fell on me. He was at a loss.

"I guarantee him," my companion said. The shopkeeper gave me his hand and said, "Let me show you." He took out from the shelves a few copies of Ehrinberg's "highly recommended" drama. Then he pulled out another book which stood behind these, took off the wrapper, and handed it to me. I could not believe my eyes: "Lenin on Imperialism." He jumped around from one shelf to another, revealing to me one prohibited book after another. Marx, Engels, Stalin, Lenin, Kautzky, Lunacharsky, and dozens

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of other Russian writers; Minzenberg, Remarque, Ossietzky, Herzfelde.

"But aren't you afraid to keep these books? Is it not too dangerous to keep them right on the shelves? Why don't you hide them?"

"No safer place to keep them. A bookstore must always be prepared for a sudden raid. Bookstores are constantly suspected nowadays. We are, as the *Beobachter* says, a hangover from the Jewish-Marxian-liberal era. But our salvation lies in the nature and character of the Gestapo [the secret police]. They are not conspicuous for intelligence. When they come to a store, they search in the back rooms. If there is a cellar they immediately rush there. They ransack the corners, look in every nook and crevice. But here, on the shelves, in the open—they do not suspect anything. Experience is the best teacher."

"But how do you get these books?" I asked.

"To tell the truth, I do not know much about that. Your friend can probably tell you more than I can. I only know that a man, who identifies himself by a number, comes every month on a certain day and takes an order. I pay on the spot. A week later the books arrive by mail, in these wrappings just as you see them."

"And do you sell any?"

"How do you think I manage to stay here?" he asked. "Do you think I sell any of that junk?" pointing to the official Nazi books standing on the shelves. "Even the Black Shirts are tired of it. I have a couple of hundred customers who come often. They buy for themselves and for their friends. I do not show these books to strangers."

"Are there many such stores in Berlin?"

"Plenty," he replied. "More than you think."

The experiences here described are not unusual or exaggerated. I am merely copying them from my notebooks, just as they were recorded on the day the event happened. There is plenty of independent evidence to confirm my personal observations. A few months ago a questionnaire was sent around to the largest German bookstores. It asked: "What sociological changes in the book market have you observed since the National Socialist revolution?" Here are some of the published answers:

Theodor Körner of Altenburg replied: "The manual laborer has not as yet returned to the book market."

Karl Buchholtz, one of the most famous Berlin book dealers, observed that his customers "have considerably declined on account of the political events."

Arthur Collignon of Berlin wrote: "From a sociological point of view we may say that the book-purchasing classes have not changed. Only individuals have ceased buying and the total quantity has considerably declined."

Christian Kaiser's bookstore at the Rathaus in Berlin was somewhat more explicit: "Naturally nearly all non-Aryans have ceased purchasing."

The magnificent Bismarck bookstore in Berlin admitted: "Our customers, who are chiefly government employees, have been buying very much less. Probably on account of the decline of wages."

The Lindemann bookstore in Stuttgart concluded its answer with the following sentence: "The assertion that the love of books is growing in Germany . . . we hope is true, but we cannot as yet assert it to be a fact."

Correspondence

The Nation and the *Mercury*

To the Editors of The Nation:

It was in the pages of *The Nation* that the League of Women Shoppers found its first correct information on the unfair labor policy of the *American Mercury*. We used your material in our investigations, found that you were accurate in your facts, and took our position of supporting the strike of the *American Mercury* employees accordingly. At meetings of our members, and in our approach to American Federation of Labor unions we read from the columns of *The Nation* to explain our support of the strike, and to persuade others to do likewise.

From your editorial of May 22 we read that "if they [*American Mercury* employers] carry out this threat [fighting the Regional Labor Board decision] and fail to reinstate the strikers, they will have lined up with those reactionary newspapers which are content to purvey generous ideas in their pages while resisting legally established standards in their own office." And in your correspondence columns of June 26 we read the complete report of the Regional Labor Board, which refuted every lying statement of the owners of the *American Mercury*.

Then suddenly on July 3 we find splashed all over the back page a joint offer of *The Nation,* liberal magazine, and the *Mercury,* also "liberal" magazine. We were mystified! One statement in the advertisement, "In order to create more work for our circulation departments during the summer we have arranged this tremendous bargain," is particularly astonishing, since you must know that the circulation department of the *American Mercury* is manned entirely by strike-breakers. The employment mentioned is not as praiseworthy as *The Nation* would seem to indicate. The statement is both false and misleading.

Immediately upon the appearance of the advertisements our members began telephoning protests. Has *The Nation* found new facts? Is *The Nation* now supporting the editors of the *Mercury* we were asked? The strikers came. They felt that this was a strike-breaking act on the part of *The Nation.* At our Board of Directors' meeting several women said that *The Nation* was becoming unreliable. Our president, Mrs. Aline Davis Hays, among others, decided to cancel her subscription to *The Nation.* Our board felt that advertising matter in *The Nation* was to some extent an extension of editorial text. Because *The Nation* is a magazine of opinion, and not a frankly commercial press, they felt that *The Nation* would not print an advertisement solely for revenue when it conflicted with their editorial stand. Therefore it was logical to assume that if the editors of *The Nation* were forced to print the advertisement because of a previous contract they should certainly have printed an explanatory editorial.

As a result of these protests from our members, we sent a representative to your offices for an explanation. She returned with the following report: That your business manager signed a contract with the *Mercury* after the strike had begun for several exchange advertisements which were to appear in your pages during the course of a year. When you realized the importance of the *Mercury* strike, you tried to cancel the contract; since you were unable to do so, you were forced to print the advertisement. Our representative also reported that your editors greatly regretted the appearance of the advertisement.

We still place the question, however, whether *The Nation*

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does not feel the same compulsion to integrity in its advertising pages that it demands from its editorial matter? We request that you publish this letter of protest in behalf of a great number of our members who are disturbed to find *The Nation* unreliable in support of the strike. We request also that you print an editorial comment to repair what damage the advertisement may have done to the cause of the strikers, which you as well as we have at heart.

New York, July 15 ALINE DAVIS HAYS,
for the Board of Directors,
League of Women Shoppers

The Nation has received several protests, including the one published above from the League of Women Shoppers, against the appearance in our issue of July 3 of an advertisement offering a joint subscription rate for *The Nation* and the *American Mercury*. The League of Women Shoppers charges that we have been "unreliable" in support of the strike and inquires whether we do not "feel the same compulsion to integrity" in our advertising pages that we demand from our editorial matter. Last week's issue of the *New Masses* carried an editorial based on the report of the League of Women Shoppers implying that the insertion of the advertisement was a denial of our "pretensions to support labor." *The Nation* has devoted more space and more vigorous language to the cause of the *American Mercury* strikers than has the *New Masses*. As to our "pretensions to support labor" we are content to let our readers judge our sincerity.

The letter of the League of Women Shoppers lays down a rule as to agreement between advertisers and editors which on second thought few persons would care to impose on periodicals in present-day America. An honest magazine sells its space to an advertiser with the guaranty that he will not be immune from criticism, that he shall not interfere with editorial policy, and that the text of his advertisement shall conform with the magazine's standard of taste and accuracy. We see no more reason why the *American Mercury* should be excluded from buying our advertising space than should other companies whose labor policies we also freely criticize. We are not afraid that anyone who knows us will believe that our editorial policy is or can be warped by consideration for our advertisers.

The joint-subscription offer of July 3, however, is advertising of a special character, because in it *The Nation,* through its circulation department, recommends the *American Mercury* to its readers. The arrangement to run a series of exchange advertisements with the *Mercury* was made February 21, two months before the strike. The text of the joint offer, which was to appear in both periodicals, was agreed on by the officials of the two companies without knowledge of all *The Nation* staff. This was shortly after the strike began. The *Mercury* fulfilled the terms of its contract by publishing the offer. When members of *The Nation* staff objected to the form and language of the agreed text scheduled to appear in *The Nation,* the *Mercury* was asked to release us from our contract, or to use the space in an advertisement in which we did not recommend the periodical. The *Mercury,* as it had a right to do, declined. Since we were under contract we felt obliged to keep our promise and did so. This did not indicate any change in our editorial attitude toward the strike. No further combination subscription offer is provided for or will be made under the contract.—Editors *The Nation.*

NEXT WEEK
The Elks Save America
By A. B. Magil

New and Challenging Conclusions Regarding Human Sex Relations

This *new* work by the "great master" is already recognized as a monumental landmark in the field of sexual knowledge. It is the logical result of a long lifetime of study, specialization and original research, in the far-flung and ever-widening realms of sexual science. It is systematic, comprehensive, concise and up-to-date. It sheds important light on sexual behavior, normal and abnormal, enabling the individual better to comprehend both his own nature and the natures of those about him.

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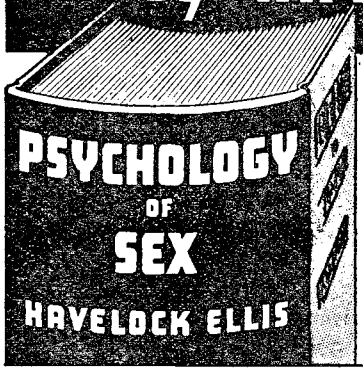
Note skeleton outline of contents herewith.

PSYCHOLOGY of SEX by HAVELOCK ELLIS



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Send a Postcard!

To the Editors of The Nation:

On June 5 the official Brown Shirt organ, the *Angriff* waxed merry over 50,000 postcards mailed as birthday greetings to Ernst Thaelmann in his cell at Moabit. The *Angriff*, turning Punch, referred to them as "political chain letters," "lost in the sand." Doubting, with that omniscience the Nazi editors are noted for, that 50,000 Bobbies, Wills, and Jims in America were concerned with the fate of a certain Thaelmann, the *Angriff* concluded by saying that if these letters had arrived from America, perhaps "we might have sent them Teddy in a bright red cockade. . . . But they wouldn't let him get off in New York, and he could cruise the ocean like the Flying Dutchman."

Americans interested in justice fail to catch the humor of the Nazi wit of the *Angriff*. The Anti-Nazi Federation, 168 West Twenty-third Street, supported by the United Anti-Nazi Conference, has now organized a great campaign to obtain 100,000 signatures and postcards which will be mailed to Berlin, demanding the release of Thaelmann and all other anti-fascist fighters. At the same time replicas of the signatures will be sent to Secretary of State Hull demanding for Thaelmann and all other political refugees that historic right to safe asylum which is one of the basic traditions of the American people.

We should like to urge your readers to obtain these postcards for themselves and their friends. They can be had free by merely writing to the organization headquarters. Already several thousand Americans have signed and dispatched them. Delegations are also being formed to be sent to Washington and Germany. The stuffed mailboxes of the Third Reich will be ample proof to the Brown Shirt comedians that there are 100,000 Americans willing to "lay out a stamp" to help set free these valiant fighters, the anti-fascists of Germany.

New York, June 18 June Croll,
Secretary, Anti-Nazi Federation

Japanese in California

To the Editors of The Nation:

Carey McWilliams's article on the Japanese in California gives puzzling prominence to a short discussion of the same subject that I contributed to the New York *Times* more than six months earlier and denies the truth of two statements ventured by me. I remarked that prejudice against the Japanese in California had abated. And I said that the anti-alien land legislation had effectually stopped Japanese land ownership. Mr. McWilliams makes a qualified denial of the first, and says of the second that "the exact opposite is true."

The person who should know most about the questions at issue is Samuel J. Hume, of Berkeley, executive secretary of the California Council on Oriental Relations. This is an active statewide organization that exists to combat prejudice and discrimination against Orientals and to remove causes of friction. It was Mr. Hume who lobbied against and defeated without much difficulty the bills aimed at Japanese fishermen, to which Mr. McWilliams devotes considerable space, but the defeat of which he fails to report.

In response to my query, Mr. Hume writes me under date of July 5:

> Anyone familiar with the state, recalling the situation of ten years ago, would say that anti-Japanese feeling, that is, antagonism toward the Japanese in California, has definitely subsided and is dying out. This is due principally to two causes:
>
> First, the adult population of the state has increased 60 per cent in the last ten years. The tremendous influx of people from other states accounts for a large proportion of this increase. Neither these newcomers nor the younger generation of Californians have the old emotional attitudes and prejudices toward the Japanese.
>
> Second, the action of the alien land law and the improved economic status of the Japanese have drawn many Japanese into the cities, with the result that the economic competition of the Japanese is now more diffused and consequently less obtrusive.

Mr. Hume's testimony is supported by that of Professor E. G. Mears of Stanford University. In an article contributed to the *Survey-Graphic* of May, 1926, Professor Mears wrote: "The Oriental cheap labor of the past has gone to the cities—at any rate, it is disappearing from farm and ranch. Anti-alien land laws are fast driving the decreasing number of Asiatics away from rural pursuits." Professor Yamato Ichihashi, professor of Japanese government and history at Stanford, in "Japanese in the United States" attributes the decline in Japanese land ownership since 1920 chiefly to the subsidence of the war-time agricultural boom, but adds that the hostile land laws "undoubtedly had a share in producing that decline." He cites figures showing the rapid decline and concludes: "The law alone can explain the aspects of the situation noted." And again he sums up:

> The Japanese have interested themselves in farming from the beginning of their appearance on the Pacific Coast, at first working as farm hands, then gradually emerging as contract, share, tenant, and independent farmers. The intention of the land laws was to check the further development of the process, and the laws everywhere having proved effective, many Japanse have left the farm and drifted to towns and cities to find other occupations.

On the other question of anti-Japanese prejudice, Professor Ichihashi writes in the same book: "The problem of alien Japanese residents has practically exhausted itself. Even the anti-Japanese agitation seems to have become well-nigh extinct."

This is a matter of common knowledge with most of us. Mr. Hume's organization has made great headway in organizing California support for repeal of the 1924 exclusion law and substitution of a quota control on the same basis as that which controls immigration from Europe. In San Francisco, for instance, the demand for quota is supported by the *Chronicle* and *News* and opposed only by Hearst. Feeling against the Japanese in California must of course be distinguished from feeling against the militarist Japanese government, which exists in California no more and no less than in other parts of the country.

There is always plenty of prejudice and Mr. McWilliams does well to take it seriously and expose its manifestations. I would not think of denying or questioning the evidence he brings of a renewal of agitation in Southern California, where he lives. And controversy is stupid. But Mr. McWilliams's curious singling out of a six-months-old fugitive newspaper piece that was not before your readers to use as the text of his article, and his less than courteous manner of flatly denying the truth of my statements require this much of a rejoinder in justice to that reputation for accuracy that is one of the journalist's dearest possessions.

San Francisco, July 8 George P. West

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Labor and Industry

Connecticut Forms a Labor Party

By NATHANIEL SHERMAN

Hartford, July 15

THE political air is full of talk about new parties, third parties, and labor parties, but it has remained for organized labor in Connecticut to take the lead in the actual formation of a state labor party. In Hartford on Sunday, June 30, representatives of 150 Connecticut Federation of Labor locals, meeting at the call of the Hartford Central Labor Union, unanimously voted for the formation of a Connecticut Labor Party, "anti-capitalist in nature," to be based on A. F. of L. unions, independent unions, and other mass organizations, irrespective of present political affiliation. The meeting was the first statewide political gathering of A. F. of L. unions in the United States.

A few brief statistics are required at this point to indicate the scope of the conference. More than 41,000 Connecticut trade unionists were represented by 165 registered delegates from 31 cities and towns. Equally important is the fact that the Central Labor Unions of Danbury, Waterbury, Hartford, New Britain, Meriden, and New London, all important industrial centers, sent official delegates. Sixteen independent locals, with a membership of 14,200, were represented and also pledged their support. There are approximately 75,000 members of the A. F. of L. in Connecticut, and more than half of these, through their local delegates, are supporting the new move. And new the move is, not only in form, but in content. The conference, which will meet again on July 21, when an even larger representation is expected, unanimously voted for the formation of a Labor Party based not only on the trade unions and other "working-class organizations" but also on the support of "professional people, farmers, veterans, and Negro organizations."

Such a party, the program states, is to be actively built and supported by the whole labor movement "for the purpose of creating a mighty weapon in the fight against wage cuts and company unions, and to achieve genuine unemployment insurance at the expense of the employers and the wealthy; for the immediate cash payment of the bonus by taxation of the rich; for the thirty-hour week, without pay reductions, for the defense of civil rights of the workers; for the defense of the trade unions against employers' attacks; against the use of National Guard and the police in strikes; against taxation of the toilers and farmers, but for the taxation of the wealthy to meet the needs of the unemployed and labor growing out of the capitalist-induced crisis; against the threat of fascism which endangers the labor movement; and against the threat of a new world war."

The opening paragraph of the resolution, unanimously adopted by the conference, states that it is "becoming plain to labor that after five years of economic crisis its conditions of life have been growing worse, and that the old political parties, the Republican and Democratic, clearly represent the interests of the wealthy employers, bankers, and others who live off the toil of labor." Obviously the unanimous adoption of the foregoing resolution implied the absence from the conference of politicians and party hacks. Present at the meeting, however, as registered observers, were representatives of farmers and fraternal organizations and representatives of the Socialist and Communist parties. Plans were drawn up for the formation of local Labor Party committees in each city and town; every A. F. of L. local will be asked to indorse the movement; delegates to the State Federation of Labor convention to be held in the fall will be instructed to vote their support of the party. A pamphlet in an edition of 25,000 is now being published, and more complete plans will be drawn up at the second conference to be held in New London on July 21. At present authority resides with a Continuations Committee of fifteen trade unionists, headed by William E. Kuehnel of Hartford, president of the Central Labor Union of that city.

According to Kuehnel, who is himself a former munitions worker, and who signed the call for the conference, the movement arose from "our realization of the complete failure of labor's traditional political policy—that of rewarding its friends and punishing its enemies. Bitter experience in the Colt Fire Arms strike, and in the strike of our brothers in the textile unions, demonstrated clearly that this traditional policy meant that we played right into the hands of either the Democrats or the Republicans. . . . The reason is not hard to find: the Democratic and Republican parties are in the hands of the employers and represent their interests, not ours." Kuehnel also points to the fact that labor has helped to elect governors and mayors "who have used the state militia and police against us while we were trying to get a decent living wage."

"We in Hartford," he says, "felt the full effect of the present political set-up when, in the Colt strike, the government refused to enforce Section 7-a. Our brothers in the textile unions not only had similar experiences, but had to contend with the National Guard, called out by a man elected to office as 'a friend of labor.' It was our experiences in these strikes that led to a preliminary conference on the part of those active in the Colt and textile strikes. The result was encouraging and predicted, to some extent, the success of our first conference."

The political orientation of the new party, it may be said, will be based on advice given to the conference by Miss Mary van Kleeck, Director of Industrial Studies of the Russell Sage Foundation, who maintained that it should grow out of the day-to-day struggles in the workshop and be directed toward a program arising out of these struggles.

"Vital issues for American civilization center in the workers' day-to-day struggles to maintain their standards of living," Miss van Kleeck said. "The task of a labor party is to center the political program around these struggles, to keep both the program and the leadership responsive and responsible directly to the workers' organizations for their immediate economic interests, broadly conceived as the basis for the standards of living for all workers, industrial, agricultural, and professional. Upon these living standards civilization itself is based."

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Lessons from Lorain

By HEYWOOD BROUN

I WISH there were some way to tell the story of the Guild fight in Lorain, Ohio, to the huge public of America. Obviously I am not competent to do it even aside from my own partisanship for the newspaper union. But I must insist that the issues involved ought to be of interest to a much wider audience than editorial workers.

In the first place a little research in Lorain, or some similar town, would do much to open all our eyes to the vital faults of the American press. This city with a population of some twenty-five thousand has one paper, the Lorain *Journal,* which comes out at four o'clock in the afternoon. It is owned by Sam Horvitz who is a paving contractor. Some years ago the *Journal,* then under different management, undertook to criticize Mr. Horvitz very sharply and so to end all that he bought the paper and continued it as a sideline.

This sort of set-up becomes increasingly familiar in small American cities. When small-town journalism is mentioned the average American thinks of William Allen White and the Emporia *Gazette.* In fact the phrase "the small-town paper" conjures up in the minds of many a sentimental picture of the kindly boss who is Bill or Joe to his fellow workers and shares a cot in the city room with the office boy. I have a decided quarrel with the paternalism which I think Bill White typifies but that can wait for some later article. In fact it can wait indefinitely because the Emporia idea is rapidly on the way out. And no matter what kind of case I tried to make against Mr. White I would have to admit that he is a newspaper man and not a paving contractor. In fact I have always maintained that he was a newspaper man and not a philosopher or a novelist.

Today the small-town paper seems to be doomed to become a sideline in the hands of somebody who has large outside financial interests. This is very bad for small-town journalism. Every now and then I run into somebody who has the archaic idea that there is a certain rugged honesty and virtue in the smaller papers as opposed to those of the big cities. With a very few honorable exceptions the smaller papers are more unfair and venal than the big ones and I am not forgetting the press of Chicago. I do not intend it as any very staggering comment when I say that in my opinion the newspapers of New York are about the best America has to offer.

But as the small-town papers become even more brazenly organs of special and local pleading for privileged interests they tend to corrupt the whole loaf. If a New York publisher said and really meant, "I intend to be absolutely fair in my treatment of labor news throughout the country," he would find the greatest difficulty in making good his pledge. He would be dependent for much of his news on one of the large press services and this is the spot where bias seeps in. To simplify the argument I will waive certain decided mental reservations and say that the press associations sometimes give the fairest stories of which they are capable about disputes in big cities. But strikes and lockouts in small communities are woefully manhandled.

If the fight assumes first-page proportions somebody may well be sent in who is capable and who is sincerely desirous of furnishing his press-service executive with the true facts. But where there is no bureau the local correspondent of any press services owes a much stronger allegiance to his immediate boss who is likely to be the owner of the town's only paper. Not infrequently the strike is in a plant in which the local newspaper owner is a heavy shareholder. In any case the paper's interests lie with those of the management of the plant. Under such circumstances the man who originates the dispatch for the news service is under terrific pressure to give the strikers the worst of it and the entire press of the country is poisoned at the sources.

Last week I pointed out that the managing editor of the Lorain *Journal* who is the active leader of the lock-out against the Guild, Mr. Horvitz being in Florida on a paving job, also happens to be the Lorain correspondent for the Associated Press. I made a formal written complaint about this condition to Kent Cooper, general manager of the A. P. I said distinctly that my complaint was based not entirely on any specific treatment of news during the lock-out but on the set-up itself. My reply came from Jackson S. Elliott, the assistant general manager, who completely evades the point. Mr Elliott wrote:

"This acknowledges your letter of July 16 to Mr. Cooper, informing us of your recent visit to Lorain, Ohio, and commenting on a story from Lorain, June 21, covering an incident related to the controversy between the management and former employees of the Lorain *Journal.* Your letter caused us to reexamine the recent exchanges of correspondence between our Cleveland and Columbus chiefs of bureau with Mr. John Dunn, chairman of the Lorain unit of the Cleveland Newspaper Guild. Assuming that you had access to the correspondence, mentioned above, while in Lorain, it seems that you must be convinced of the desire of our staff employees to deal with this controversy with entire fairness."

I didn't see the correspondence and I have no idea what it contains nor do I see what it could contain which would impair my argument that a man should not be the active leader of a lock-out against a labor union and at the same time the so-called neutral observer who is expected to furnish the papers of the country with a fair account.

But my true quarrel is not with any A. P. reporter, not even with Mr. Maloy, the managing editor of the Lorain *Journal.* My quarrel is with the A. P. executives. Why should I think that Jackson S. Elliott, assistant general manager of the A. P., is fair when I find him slipping so readily and probably unconsciously into that telltale phrase "the controversy between the management and former employees of the Lorain *Journal.*" Mr. Elliott is either ignorant or biased if he does not know enough about labor disputes to realize that he is using the phrase always utilized by employers when they war against the right to collective bargaining. It has been said over and over again in similar

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situations, "Why there's nothing to bargain about—these people don't work for me any more—they're just former employees." The theory of 7-a was that workers who were fired for organizing were illegally dismissed and that they still retained a right to their jobs. That is the contention in Lorain today. I see no reason why I should not reiterate my charge that the position of the A. P. in the Lorain lock-out is wholly wrong both in principle and specific act.

Victory in New Jersey

By McALISTER COLEMAN

NEW JERSEY consumers of electricity rubbed their eyes in frank astonishment the other day when they read the headline, "Commission Orders Public Service to Reduce Rates." For the first time in its thirty years of domination over the political and economic life of the state the Public Service Corporation of New Jersey has been forced to have a subsidiary reduce its rates. It has been forced to do so, furthermore, by a utility commission generally considered to be subservient to the will of the corporation, which monopolizes 80 per cent of the electric and gas business of the state and practically all the street-car and bus service as well. In June the Public Service Gas and Electric Company of New Jersey cut its customers' electric bills 20 per cent, thereby reducing the amount it receives from New Jersey consumers by $5,176,566 a year. For domestic consumers rates formerly starting at 9 cents for the first twenty kilowatt hours, on top of a dollar monthly minimum, will now be 7 cents, with similar reductions as consumption increases.

In the opinion of most unbiased experts these rates are still far too high. To those acquainted with the history of Jersey utilities, however, a rate cut of any size is so unprecedented as to warrant widespread jubilation among the long-suffering consumers. Thomas Nesbitt McCarter, president of Public Service and its subsidiary companies at a salary of $150,000 a year, now goes up and down the state talking darkly about attempts to "ruin the electric industry" and threatening cuts in the 15 per cent dividends of the gas and electric company. (It is to be noted, however, that the rate cut has not affected the price of Public Service stock.)

How did it all happen? What overnight change took place in the policies of a commission whose past performance has been practically 100 per cent in favor of Public Service? The answer is to be found in the activities of a small group of determined men and women who for two years have been doggedly battering at the powerful defenses of Public Service. When this group first petitioned for a reduction in rates, they were told that to fight McCarter was about as healthy as making faces at Hitler on the streets of Berlin; that the Utility Commission was no more than a preparatory school for lawyers graduating into the service of the utility companies; that the press of the state was hostile. Mindful of the odds against them, they nevertheless went forth to battle, with John A. Matthews of Newark, a former assemblyman and one of the leaders of the New Jersey bar, representing Herman W. Brams, the first individual petitioner, and the Utility Users' Protective League of New Jersey acting as intervenor in the hearings.

The Utility Users' League was an organization which had been formed shortly before the electric rate case started for the purpose of fighting Erie commutation rates in northern Jersey. Among its members were four men whose nicely timed team-work and willingness to accept the most difficult of assignments, without thought of compensation, proved, together with the militant tactics of Matthews, to be the determining factors in this fight. These four men were the brothers George and Samuel Slaff, young lawyers, residents of Passaic, who practice in New York; Dr. John Bauer, veteran valuation expert, who bears the scars of many a rate battle with the power trust; and A. Raymond Travis, Jr., the league's secretary.

In an article in *The Nation* for November 21, 1934, called Jersey Power Costs Too Much, I gave the arguments employed by both sides in the long-drawn-out hearings before the utility commissioners at Newark. As it turned out, the case hung on the valuation of the company's properties. High-priced experts were marshaled by the company to swear that the rates should be based on a valuation of $450,000,000. Dr. Bauer took the witness stand to contend that $150,000,000 would be a fair valuation.

Early in the case the forebodings of the pessimists seemed justified. Joseph F. Autenreith, chairman of the commission, who had heard much of the important testimony, suddenly resigned, saying that his commissioner's salary of $12,000 a year was insufficient for his needs. A month later he popped up as counsel for the New Jersey Central Power and Light Company. In his place, over the heated protests of the league, Governor (now Senator) Harry Moore appointed Frank J. Reardon of Jersey City, a protege of Mayor Hague's. But to the vast relief of counsel for the people, Mr. Reardon, from the time he entered the involved proceedings, seemed to have a much clearer idea of what they were all about than did his colleagues, Mayor Bachrach of Atlantic City and Thomas L. Hanson, former secretary to Governor Larson.

It was Commissioner Reardon who made gestures of incredulity when an expert for Public Service testified that under the head of the company's "going value" there should be included and capitalized in the rate base the George Washington Bridge, the Holland Tunnel, the highway system of the state, and finally the flourishing birth-rate in the thirteen counties of the Public Service domain. These items were included, it was gravely explained, because the company was entitled to levy tribute upon so rich a territory. This same witness admitted under the raking cross-examination of George Slaff that he had included in his final estimates duplicate appraisals of a power plant which the peoples' counsel claimed was obsolete anyhow. He was followed on the stand by another company witness who, testifying as to the condition of the poles carrying Public Service electric wires, said that he had inspected all the company's poles and found them well-nigh perfect. This inspection had been done by "observation." Under the questioning of Slaff it developed that the "observation" was made from a high-powered car in which the expert was speeding through the state.

The significance of the Jersey reduction, outside the saving in dollars and cents to the people of the state, lies in the proof it offers that men and women with courage, intelligence, and persistence can sometimes win a victory over the huskiest of Goliaths.

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Books

Realism—Old Style

The Furys. By James Hanley. The Macmillan Company. $2.50.

IN England Mr. Hanley's realism has earned for him a unique position that he can hardly expect to enjoy in this country. It is not surprising that a nation whose principal literary nourishment in the past fifteen years has been the crepuscular symbolism of Virginia Woolf, the robustious whimsies of J. B. Priestley, and the silver-plated mysticism of Charles Morgan should be shocked into respect for a writer who manifests something more than a hat-tipping acquaintance with contemporary actuality. Not since "Sons and Lovers" has so much of the concrete substance of England been allowed to sully the pages of the English novel; indeed, Mr. Hanley has caught up English realism at the point at which it was abandoned by the early Lawrence. That such critics as the late Arnold Bennett and John Cowper Powys should lose their heads a little in saluting him is, under the circumstances, understandable enough. But we in this country have suffered too arduous an exposure to realism in all its forms, from the ponderous social documents of Dreiser to the mordant case histories of Faulkner, to be any longer capable of the kind of open-mouthed astonishment before the revelations of "life" or "reality" which it seems to be the sole end of pure realism to provoke. It is not that the recent American novel is better written than the English, or that it is wiser and more balanced in its attitude toward experience, but that it has at least passed beyond the stage where it believes that experience by and for itself is a sufficient guaranty of interest or significance. We have come to demand again in a work of fiction that pretends to be anything beyond the paranoid or the journalistic the presence of a theme that will give to the materials represented a consistent form and a comprehensible meaning. It is the total indifference to these two things in "The Furys" which makes it, for all its fine psychological insight in the treatment of individual characters and scenes, a source of very special exasperation for the American reader.

Mr. Hanley has created a world which his intelligence has not striven hard enough to understand. The result is something that one may find it hard to believe—a novel without a theme. And because it is without a theme it is without center, without focus, without form. The only boundary that exists is that set up by the three generations of the Furys, an overwrought family of immigrant Irish marooned in the working-class district of an English seaport city that is undoubtedly Liverpool. At the beginning it would seem that the central conflict is to be between the strong-willed mother and her youngest son, who has just been dismissed from a seminary in Ireland for bad conduct. But this is soon abandoned for an intensive treatment of half a dozen almost equally important situations involving other members of the clan. There is a general strike which affects most of the characters in one way or another: Mr. Fury is left jobless; Mrs. Fury is forced to appeal to a loan shark; another son is active in the fight between police and workers. But how all this is related to the essentially pschological struggle between mother and son, to the domestic troubles of Desmond Fury and his prostitute wife, and to the reconciliation between the elder Furys, is never made clear. Always in the background is the speechless, motionless figure of the aged grandfather, whose day dreams are of Ireland and his childhood and the body of his mother lying dead from starvation. Here, one would think, Mr. Hanley might have found his theme, or at least a beginning for the Furys' long history of sorrows and tribulations, even the most distinguished of which are traceable to economic necessity. But this writer lets it be known through the character of a half-mad professor of sociology that he is above all such interpretations. Like his character, he sits on a high place and surveys the tortured and self-torturing human masses with a sort of perverse satisfaction. The formula for immunity is elsewhere expressed by the opportunist Desmond: "Our real enemies are our own people."

But the real objection to this book is not that it fails to give expression to the proletarian revolutionary theme. It is rather that it deals with a vast body of material without informing it with any meaning or significance whatsoever. A young boy's resistance to his mother's influence is no longer a sufficient subject for a book of this length and scale. Yet to bring his work to some sort of conclusion Mr. Hanley is forced to have the boy turn on the mother in what is no more than a fit of meaningless perversity. Unable wholly to concentrate on the psycho-pathological aspects of family relationships, as D. H. Lawrence was able to do some decades ago, and unwilling to give weight to the social and economic forces operating on the family, this talented young writer falls into a confusion that is reflected in everything in his work.

WILLIAM TROY

Portrait of a Year

Eyes on the World. By M. Lincoln Schuster. Simon and Schuster. $3.75.

"THE hair-trigger opening and closing of thousands of camera shutters" enables us "to fix comprehending eyes on the world," writes Mr. Schuster. And in synthesizing the outstanding photographs of the year with the flow of the year's news, he has, I believe, set a new form which will influence books for years to come. Photographs for too long have been isolated phenomena, expressive of events and people but uncorrelated with the main stream of history. It is something new to weave these photographs through the headlines, through the news, through the titles of the year's outstanding books, through the cartoons, speeches, proclamations of the year, into a new and integrated fabric. "Eyes on the World" attempts to show us what history looks like when it is being poured red hot from the ladle.

"Eyes on the World" represents a new method of communication. We have had books of pictures before, we have weeklies which digest the news, we have rotos and newsreels which are sketchy and uncoordinated, but "Eyes on the World" gives us a vivid picture of the year as a whole, classified and edited. Many people may quarrel with Mr. Schuster's editing, but none is apt to deny that this is a vivid and stimulating way to delineate a year. We have strikers dying in Toledo, violence on the Coast, the jobless sleeping on the sidewalks, cows being shot in the drought-stricken corn belt—the story of America's year told in headlines and photographs that are full of conflict and bloodshed. We see thousands assembled under the swastika in Germany; we have flashes of Mussolini, of Mosley's Black Shirts, of fascist riots in France and Austria, student conflicts in Spain, and preparations for war in Japan, with machine-guns being set up in Manchuria. We have the "war against illiteracy" in Russia, medical students attending the tuberculosis college, Soviet citizens going to the circus and the ballet, Bolshevik babies being brought up in nurseries, Stalin good-humoredly discussing literature with Maxim Gorki, healthy-bodied boys and girls running down to the beach near Leningrad.

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The following headlines will sound familiar to anyone who takes his morning paper with his breakfast coffee: "Troops Fight Paris Rioters," "Greek Revolt Spreads," "Dollfuss Slain by the Nazis." But assembled with these headlines we see a French woman, her baby on her shoulder, pushing back a gendarme; we see the strained faces and tense figures of the Greeks, in postures that only the candid camera could capture; we are shown the hands of Heimwehr troopers reaching up toward a windowsill from which the dead body of a Viennese Nazi is being rolled into their outstretched arms. We all of us remember having read about these things in the daily press. We shall remember many of the pictures reproduced here. But "Eyes on the World" does something to these memories of ours. It condenses them in a form that is startling and vivid.

This book is interesting not only as a historical document but as an evidence of the changing style of photography. The ever-growing position of the candid-camera photography is made emphatic. There is nothing artistic on the page entitled A New Spanish Custom, but the picture of the clash between students and civilians has a swirl of activity that the old art photographer, laden with cumbersome equipment, would be powerless to express. A short while ago I was prevailed upon to judge a "salon" of photography in one of the larger art museums of the country. What a collection of dew-filled landscapes, scarf-draped nudes with vases, and Corot-like trees waving fuzzily against the sky! The difference between the Corot imitation and the Acme news shot of national guardsmen firing on Toledo strikers, the ground bouncing with bricks, the attitude of each man in the picture eloquently expressive, is the difference between the past and the future of photography. The never-to-be-forgotten shot of the assassination of King Alexander of Jugoslavia (for which the camera man as well as the king gave his life) may not follow the laws of dynamic symmetry, but the content of the picture is so breath-taking that it will take its place among the historic photographs of the world.

Other photographs show that dynamic composition can exist with the candid-camera news quality. The pictures entitled Japanese Man of War and Samurai have great power. There is sheer beauty in the glistening ebony backs of natives in Man Power by William La Varre. It is difficult to think of any art form which could be more expressive of the tawdry glamor of burlesque than the Jacobs photographs. And pictures like Little Women, from China, and the Sovfoto picture, Red Square, are exquisite examples of photography gleaned from a news service, the work of some unknown photographer.

The book, among other things, reveals that montage as a method is difficult and in its infancy. But the imperfections of some of the more crowded layouts are more than compensated for by the beautiful balance of pages like the one entitled Coolie, where the young Chinese face rises out of a background of surging Oriental humanity, the composition interestingly cut through with headlines, "China's forgotten millions: Life is cheap in Manchuria." Sometimes we feel that the captions tend to be too flashy, but we cannot complain when the portrait by Pierre Verger, expressing all the dignity of a man who comes from the soil, is underlined with the title: "The good earth yields this Chinese peasant an income of twenty-nine cents a month."

"Honest pictures," writes Mr. Schuster, "can give us an impact, a startled awareness, a deep flooding illumination which even honest words cannot always attain. In the right hands, an artist's lens is an instrument of truth, a probing and searching instrument. It can unlock secrets lodged in ponderous sociological surveys. It can unseat error and destroy partisan pleading." We hope that "Eyes on the World" will go on year after year unrolling the life behind the headlines.

MARGARET BOURKE-WHITE

Literary History at Its Worst

The First Century of American Literature. 1770-1870. By Fred Lewis Pattee. The D. Appleton-Century Company. $3.50.

THIS book completes Professor Pattee's three-volume history of American literature. Though published last, it is the first in point of time. The first half of the era it deals with, 1770-1820, produced nothing of enduring value in our literary annals, but the remaining fifty years brought forth a group of writers who are still our chief glory in the realm of literature: Hawthorne, Melville, Thoreau, Whitman, Lowell, Emily Dickinson, and Emerson. Professor Pattee's general discussion, unfortunately, is similar to that in all his other historical works—comprehensive, bizarre in its critical opinions, and poorly written. His previous books have been severely attacked on all these grounds by non-academic folk, and one had hoped that he would be somewhat influenced for the better by the continuous onslaught, but apparently it is too much to expect a radical mental and emotional change in an academician of seventy-two.

Like nearly all his colleagues he thinks that Franklin's simple, cheap, and shoddy "Autobiography" is a "classic to be rated with the greatest of the world's autobiographies," but that the magnificent Tom Paine was no more than an "impetuous . . . journalist who thought only in superlatives and who knew nothing of prudence." Most of the younger college professors now agree that Philip Freneau was at best an ambitious but mediocre versifier, but Professor Pattee still holds to the opinion of the Revolutionary literary critics that he is "one of the glories of American literature," and that "in strength of conception and in sustained mastery over the vaguely terrible" some of his work surpasses "the English poetry of the early Romantic movement." To bolster this view Professor Pattee quotes such "vivid and contagious" lines as, "She walks the ocean like its queen" and "She stays to guard her native shores." His final judgment is that "a half-dozen of his best lyrics—Poe can show no more—are worthy of any anthology."

In the first decade of the nineteenth century there lived a Philadelphia literary critic named Joseph Dennie. He was a man of slight learning and fairly adequate taste, but Professor Pattee sees in him one of the great critics of all time, adding specifically that a good deal of his work was "worthy of a critic like Hazlitt." And "the second reviewer in the new decade was also a man of genius . . . Charles Brockden Brown," whose idea of a good novel was a fantastic adventure story of the sort he himself wrote. Professor Pattee's reverence for the early American writers is so deep and indiscriminate that he sees good even in Parson Weems's biography of Washington. He admits that it is an absurd book, but he immediately adds that it "has its merits. It is written with vivacity and complete conviction; its battle stories are told with gusto."

Hawthorne's "The Scarlet Letter" makes little impression on Professor Pattee. He thinks that "the characters are symbols; the dialogue is unnatural; . . . Tragedy was the intent, unrelieved by humor, but emotion is lacking, gripping power, realism. It can be read in cold blood with thoughts only of the method, the literary artifice, the highly finished style." Unlike Hawthorne, Whittier was a real artist. His "Snow-Bound" is "primitive in its feelings, simple, intensely human. . . . The snow storm actually happened." Whittier gets a full chapter of fourteen pages, but Melville gets only cursory mention. Perhaps one of the reasons for this is to be found in the low opinion Professor Pattee has had of "Moby Dick." In his "Century Readings in American Literature" (third edition, 1926) he said that the book is "a wild mélange of adven-

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ture and of Gothic romance. . . . As a novelist Melville was a failure."

The present volume by Professor Pattee is full of strange night-school English. I quote a few samples:

> Latin it was that seems first to have laid hold of the young student's [Philip Freneau's] imagination.
>
> Written not at all was it [H. H. Brackenridge's "Modern Chivalry"] for profit.
>
> Tremendously was it [Paine's "Common Sense"] successful.

When Professor Pattee attempts to explain or define literary phenomena he achieves remarkable conclusions. For example:

> The geography of the South made not for literature. In contrast with New England, it had an out-of-doors climate.
>
> To comprehend Emerson, one must begin, perforce, with ancestry.
>
> Romanticism may be defined as the spirit of youth.

Professor Pattee's textbooks on American literature are perhaps the most widely used in our colleges and universities. A founder and editor of *American Literature*, the chief organ of the professors in that department, he commands great respect as an authority in the field. The influence he has had on the academic study of the national letters has thus been tremendous. How harmful it has been to the development of intelligent criticism and sound scholarship, the present book—his fifteenth—proves for the fifteenth time. CHARLES ANGOFF

Communist Ideology

Russian Sociology. By Julius F. Hecker. John Wiley and Sons. $3.

Religion and Communism. By Julius F. Hecker. John Wiley and Sons. $3.

Moscow Dialogues. By Julius F. Hecker. John Wiley and Sons. $3.

HERE are three forthright, authoritative books which bring together information essential to the understanding of what the Marxians, on one of their off days, have taught us to call the "ideology" of communism. Yet these books are by no means exclusively an exposition of communist social philosophy; they present the main currents of Russian thought and religion for the past two centuries in a unified picture hitherto not available to readers unfamiliar with the Russian language.

Dr. Hecker is a European of international descent who received his chief education in this country, including a religious training, returned to Russia after the revolution to participate in the reconstruction of the cultural and religious life of the Russian people, became himself converted to communism, and has now been appointed professor of philosophy in the University of Moscow, his special field being the interpretation of British and American culture. He is a man of transparent honesty, great integrity of character, and sound scholarship. He has the confidence both of the Communist authorities and of the church, anomalous as this fact may appear.

Hecker's trilogy is neither a history of events nor a description of social and economic conditions. It is confined to an account of Russian "ideology." But it is not mere partisan propaganda such as we have learned to expect from Soviet sources and such as Hecker himself at times avows. He tells us that "Communist teaching is not unlike religious dogma, it is frankly *partisan;* it accepts its proletarian class bias and scornfully rejects any so-called objective, impersonal, or superclass science and philosophy." Such dicta leave one groping for light on proletarian or religious mathematics, astronomy, or biology. But the spirit which thus induces Hecker to expound loyally the most meaningless items of the Communist creed does not seduce him into practicing this particular article of the creed. His books, while obviously written in full sympathy with the Communist conception of class warfare, are nevertheless objective and scientifically impartial in the presentation of facts, as is recognized by eminent authorities like John Macmurray and Sidney Webb, who have written prefaces for two of the books, and by Harold Laski.

"Russian Sociology" is the most solid of the three books. It begins with the Decembrist movement of 1825, and after discussing early Slavophil and Westernist theories sets forth the thought of the subjectivists—Peter Lavrov, Mikhailovsky, and Kareyev—of anarchists like Kropotkin and Chernov, and of P. A. Sorokin, whose move from Minnesota to Harvard has been overlooked by the author. The next section of the book, a suprisingly brief one, is concerned with Marxo-Leninism and revisionism. Plekhanov, Peter Struve, and Bogdanov receive special attention. The exposition throughout is well documented and the criticism is both restrained and instructive.

When one turns from "Russian Sociology" to "Religion and Communism" one can hardly avoid the impression—doubtless quite unintended by the author—that dialectical materialism is an impregnable rock, while religion is a life of dialectical movement. The history of Russian religion is traced back to the origins of Christianity in Russia, and the extraordinary potpourri of the superstition, magic, czaristic politics, avarice, mysticism, and moral idealism which have constituted Russian religion is vividly pictured, along with the growth of the anti-religious tradition which began under the influence of Voltaire, Diderot, and Holbach. Anyone who wishes to understand the historical justification for the revolt of communism against religion will find a better explanation of it here than in any other available account. He will also be led to wonder what would happen if an enlightened form of religion should arise in Russia—animated by social ideals akin to those of communism, like dialectical materialism utilizing all the methods and results of the sciences and rejecting mechanistic philosophy, but unlike it viewing the evolutionary process as the experiments, creations, struggles, and sufferings of a cosmic mind. There are signs that such a religion is dawning here and there in the Western world, although ignored by pundits. But Hecker wisely refrains from vaticinations about the future of religion in Russia or elsewhere.

One who has read "Russian Sociology" and "Religion and Communism" does not need to read "Moscow Dialogues," for it contains very few facts or arguments which are not to be found in them. But if he skips it he will miss a most delightful review of the subject as well as a corking good time. The book represents a series of informal discussions between the Communist Socratov and a group of Americans—a Senator, a Rotarian, a banker, a humanist, a reformist, and a professor. Needless to say, each is a stage type, true to form and entertainingly done. This book will doubtless be the most popular of the three.

Hecker's work is the best available in the field, but it is not perfect. The religious ideals of Alexander and the Holy Alliance are merely mentioned. One must look to Clarence Ford or Bertrand Russell for light on that amazing person, Baroness Krüdener, although the somewhat analogous Rasputin is mercilessly etched. There might well be a reference to the influence of Edwin Markham's social poems on prerevolutionary Russia. One regrets the lamentable proofreading of all three books, especially the "Moscow Dialogues." Finally, one may be permitted the wish that some sort of consistency might be established in the spelling of Russian proper names. We have in these books Dobrolubov and Dobrolyubov; Milyoukov, Milyukov, and Miliukov; Pugachev and Pugatchev.

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The lay reader is convinced that Pobyedonoscev and Pobyedonostsev are one man, but that N. Karev and N. I. Kareyev are two he cannot so easily tell. These and any other defects, however, should deter no one from reading Hecker's admirable volumes.

EDGAR SHEFFIELD BRIGHTMAN

Fearing's Metrotone News

Poems. By Kenneth Fearing. With an Introduction by Edward Dahlberg. Dynamo. $1.

A POET'S vision of evil may take various forms. Satire, of the usual sort, is the mildest of them; however stern the satiric poet may be in his primary intent, an irrepressible sympathy with human nature and a sense of the universality of folly cause him to wear the mask, at least, of geniality. Then there is the philosophical poet's attempt to explore and fix the laws of evil; his desire to extract the essence of the bad and the good may lead him to do a certain violence to the mixed quality of human character and action, and to set an Inferno in unrelieved blacks against the whites of a Paradiso. There is, finally, the nightmare vision of horror, chaotic and meaningless, which springs from overwrought nerves.

Kenneth Fearing's poems have something in common with each of these types. In the first place, they are intended as social satire, and more specifically as an indictment of capitalist civilization. The cruelty and hypocrisy of the present order are driven home by ironic juxtapositions: "It is Infant Welfare Week, milk prices up, child clinics closed, relief curtailed"; and "All winter she came there, begging for milk. So we had the shacks along the river destroyed by police." Sometimes the irony overreaches itself by crossing the borders of the fanciful, as in Obituary, where the dying worker's trinkets are parceled out among the Standard Oil, the D. A. R., Mr. Hoover, Gene Tunney, Al Capone, and the truck driver who ran over him. Those who are able to beat the game are represented in the figures of the gangster, the movie queen, the hero of popular fiction, and the plunger:

> And wow he died as wow he lived,
> going whop to the office and blooie home to sleep and biff got married and bam had children and oof got fired,
> zowie did he live and zowie did he die . . .

Against the background of a bourgeois hell are flashed revelations of a future proletarian heaven. That these seem to be conjured out of a hat, and are not made to emerge inevitably from their context, is caused in part by the general atmosphere of the poems, which is that of the nightmare vision. This atmosphere is created very skilfully, with a craft which draws upon the French Décadents and Surréalistes and the advanced movie. The repetitious, hypnotic rhythms punctured by shocks of surprise, the rapid shifts of perspective, the cinematographic fadings and fusions of characters, all contribute to the effect of a grotesque and convulsing dream, tense with "stacked and waiting murder" and permeated by "a touch of vomit gas in the evening air." The horrors are cumulative, leading up to such refrains as:

> Morphine. Veronal. Veronal. Morphine. Morphine. Morphine. Morphine.

The result is very pungent stuff, and, with regard to its "literary" qualities, some of the most capable verse written so far by the revolutionary group. But these poems are primarily designed, I gather, not as a kind of macabre entertainment—for the sufferings of people today are hardly a fit subject for that—but as a social weapon. Although it is close enough to current realities to be often very telling, the social

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criticism tends to be submerged in caricature and melodrama. From a proletariat bled until it is dazed, and from a ruling class so demoniacal, the promised land seems very remote. Like a cross-section of events in a newsreel, Fearing's picture of the contemporary world is pieced together out of "shots" chosen for their sensational quality, and it conveys no sense of direction. (That Fearing's Metrotone News gives us scenes ignored by Hearst's is highly commendable, but does not affect this particular criticism.) Consequently it is much less effective as commentary than the work of such poets as Hart Crane and Day Lewis, who bind the future to certain elements of the present and the past in a continuity of purpose and aspiration.

PHILIP BLAIR RICE

Erskine Version

Solomon, My Son! By John Erskine. The Bobbs-Merrill Company. $2.50.

AS novelist, John Erskine seems to be much more at home in the past than in the present. The reason lies in his special limitations: his experiences with the novel have so far developed him in the direction of but two themes. The first is the superiority—no less complete for being diplomatically asserted—of women over men; the second is the similarity—in point of invariable human nature—that exists between past ages and contemporary life. In "Solomon, My Son!" Mr. Erskine's first theme is stressed to a degree where women, no matter how restricted or obscure their position, become the real makers of history, and where men figure as their feeble and all but inadequate tools. Solomon has none of the force and wisdom which are commonly attributed to him. The force belongs to his mother, Bathsheba; the wisdom is divided equally between his Egyptian wife, Magsala, and Abishag, his concubine; it is to their skilful machinations, conducted modestly behind the throne, that Solomon, according to Mr. Erskine, owes his reputation for wisdom and justice. Mr. Erskine's second theme —the similarity between past ages and contemporay life—is developed to its fullest, and most obvious, extent: Solomon's era is the New Deal. Mass discontent and social agitation on the one hand are balanced by Solomon's plans for recovery on the other. It seems hardly necessary to add that the irony behind Mr. Erskine's point of view is of the most innocuous kind; far from being a weapon of reform, or a cry of despair over human fallibility, it has no other purpose than that of providing entertainment.

But we demand of entertainment that it be rich in surprises—and in Mr. Erskine's entertainment the surprises are very few. He clears the way for comedy, but it is so overworked by his two major themes that it becomes before long a pretty dull and predictable affair. From any clash between the sexes we know that women will emerge as the uncrowned victors, and that every economic situation which shows itself in Solomon's reign will provide the usual quota of parallels to our own predicament.

HELEN NEVILLE

Shorter Notices

Playthings of Time. By Arnold Zweig. The Viking Press. $2.50.

This collection of short stories still leaves Arnold Zweig's reputation resting on "Sergeant Grischa." Of the twelve stories three have merit beyond the author's gentle, easy notation of the simple traits of very simple people and his preference for slightly naive incidents. In The Enemy and "Eleven-Eleven-Fifteen" a fuller talent is evident. Both are war stories in which the war is used, not to make or break character, but to point it, to show in a curious mocking way how even amid war's fatality, the characters of two men can to some extent determine those men's destinies—one of death, the other of life, one confused and pathetic, the other petty and ridiculous, both consistent and inevitable. By far the best piece is Kong at the Seaside, eight pages of exciting and adept narrative. The bitter bargaining over a dog is cruel and tense, loaded with surprisingly complex implications, while the statement is sharp, neat, and conclusive. For the rest it can only be said that they lose no opportunity to be convincingly anti-war, anti-German, and tiresomely sentimental.

Cat Across the Path. By Ruth Feiner. J. B. Lippincott Company. $2.50.

For a first novel this is a pretty slick performance. Miss Feiner knows her characters fairly well—but she knows her public even better. And thus she has been able to mix together the right amount of thrills, joys, and sorrows, and to leaven the whole with a dash of insight which is never too thick for the average reader's capacities—even a best-seller, these days, cannot hope to appeal by thrills alone to a public which has had at least one good dose of realism and Freud. The comparison, which has already been made, between Miss Feiner and Vicki Baum is a just one; for while "Cat Across the Path" has structurally not much in common with "Grand Hotel," it is at bottom the same kind of ready-made shocker, with just enough sophistication to keep it this side of absurdity and just enough "philosophy" to keep it this side of Elinor Glyn. There is the same careful planting of situations thought out in advance; as for the characters, they are about as complicated as the figures in a morality play: they have one characteristic apiece, and any given situation will serve to emphasize it. Add to this a style whose tedium is not even relieved by the tumult of incidents that crowds the pages and we have a piece of summer fiction which is neither better nor worse than usual. "Cat Across the Path" is marketable stuff; the enthusiasm accorded it in certain literary circles must remain a mystery—even, one suspects, to the author herself. For it is such a thoroughgoing commercial job, so faithful to its inherent limitations as to give the impression that Miss Feiner knew all along what she was doing.

Contributors to This Issue

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